



Our ref: 1793

2 March 2018

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

Dear Mayor

## **DRAFT LONDON PLAN: REPRESENTATIONS ON BEHALF OF LEGAL & GENERAL CAPITAL**

These representations have been prepared on behalf of Legal and General Capital ('LGC') in respect of their landholding in Ickenham.

As part of its strategic investments, LGC owns land adjacent to key transport infrastructure and this includes land (circa 200 acres) within the London Borough of Hillingdon.

In general terms the site is considered to make a limited contribution to the greenbelt and its local context provides the opportunity to establish a more coherent greenbelt boundary and contribute towards the requirement for housing as you'll find considered in the enclosed Vision Document.

### **LEGAL & GENERAL CAPITAL**

LGC focuses on direct investments in key sectors, including housing, employment, infrastructure and SME finance. These reflect LGC's aim to invest for the long term in economically and socially useful assets, to secure competitive returns and to create new asset classes for LGC's varied investment requirements, for partners and for the wider marketplace. LGC works closely alongside other businesses within Legal & General Group, and in this instance Legal & General Homes, the housebuilding arm of Legal and General Capital, would be the entity tasked to deliver the proposed vision for the site.

#### Structure of representations

Remainder of these representations include detailed comments on draft policies relating to housing, the Green Belt and plan monitoring, as well as the supporting Integrated Impact Assessment. Suggested amended wording for specific policies is included at **Appendix 2**.

### **CHAPTER 1 – PLANNING LONDON'S FUTURE**

#### **Policy GG2 - Making the best use of land**

Policy GG2 is too restrictive to meet the needs of Londoners and should be expanded to include further options for making the best use of land.

#### **Planning and Environmental Advisers**

##### **Partners:**

Gary Halman BSc FRICS MRTPI  
Richard Woodford BA (Hons) BSc BTP MRICS MRTPI  
Jon Suckley MTCP (Hons) MRTPI  
Richard Barton BSc (Hons) MA MRTPI  
Neil Lucas MRTPI  
Richard Kevan BSc MA (EIA) MPlan MRTPI PIEMA  
Fiona Woodford  
Julie Halman

##### **Associates:**

Conor Vallely MTCP MRTPI  
Keith Jones BA (Hons) MSc MRTPI  
Emma Jones BA (HONS) DipEP MRTPI  
Andrew Johnston MTCP MRTPI MNZPI

##### **HOW Planning LLP**

Registered Office: 40 Peter Street, Manchester M2 5GP  
Registered in England and Wales Registered Number: OC318465  
HOW Planning LLP is a Limited Liability Partnership  
Any reference to Partner means a member of HOW Planning LLP

This should include a review of the Green Belt to identify land adjoining existing urban areas that does not make a positive contribution to the Green Belt or nearby communities. Where such sites are well-connected by existing or planned public transport, opportunities to make better use of these limited areas of Green Belt should be explored.

Without a Green Belt review, or provisions in place to review Green Belt boundaries through subsequent borough level Local Plans, it is not possible to conclude that the proposed London Plan is sound and NPPF compliant. The draft London Plan does not represent justified and positive planning to identify the most appropriate strategy for meeting London's housing and employment needs having regard to the overall sustainability balancing act.

The benefits of allowing a wider range of options for making the best use of land, including Green Belt land, are:

- Greater investment in community facilities;
- A more balanced distribution of new housing and investment across the whole of London;
- A wider range of housing types; and
- More affordable housing.

#### **Policy GG4 Delivering the homes Londoners need**

The Mayor's strategic target of 50% of all new homes being affordable will not be achieved based on the draft London Plan. To realistically achieve higher levels of affordable housing the London Plan must look for new solutions beyond just brownfield sites, which have failed to deliver in the past (both affordable and market housing).

London needs space to grow. There are not enough brownfield sites to meet London's projected housing and employment needs as it is. Brownfield sites are also unevenly distributed, expensive to redevelop and are restricted in terms of the types of housing and employment uses they can accommodate.

By their nature, brownfield sites are limited in the affordable housing they can reasonably be expected to deliver (in terms of overall quantum, location and type). This is evidenced by the low levels of affordable housing achieved in London over recent years.

In 2015/16 there were 6,675 affordable homes built (17% of all new homes built) against a 50% target of 21,195 affordable homes. That is a shortfall of over 14,500 affordable homes in a single year.

### **CHAPTER 4 – HOUSING**

#### **Policy H1 Increasing housing supply**

The London Plan as submitted will fail to meet London's objectively assessed housing need for two main reasons:

- the under-estimation of Full Objectively Assessed Need (FOAN);
- the unrealistic assumptions about the availability and capacity of brownfield sites, particularly in Outer London boroughs.

#### **2017 London SHMA**

The housing need evidence used to support the London Plan does not meet the requirements of the NPPF or PPG. As a result, the true scale of London's housing needs has not been properly identified.

The identified need of 65,787dpa set out in Table 13 of the SHMA excludes the "housing requirements of particular groups" identified in Chapter 8 of the SHMA, including:

- 870 'C2' care home beds a year (equal to 870dpa);
- 3,500 PBSA bed spaces a year (equal to 1,667dpa).

Allowing for the above additional requirements the identified need increases to 68,324dpa. This equates to 25,370 extra dwellings over the plan period, which currently have not been accounted for.

### **2017 London SHLAA**

To ensure an adequate supply of housing in London, additional deliverable sites, including strategic urban extensions, should be identified to allow sufficient flexibility to accommodate unexpected delays to sites already identified. This is particularly important in boroughs where there is a significant increase in housing targets (eg LB Hillingdon where there is a 278% increase).

### **Policy H3 Monitoring Housing Targets**

The housing crisis in London is the result of the failure of past plans to deliver the housing needed. It is critical that the new London Plan does not repeat past mistakes and includes a monitoring and review policy that has the means to quickly remedy any emerging shortfall against targets.

Allowing demand to continue to outstrip supply will mean that affordability of housing in London will continue to worsen. The harm will be felt most by lower and middle-income groups and young people, who the London SMHA confirms are already most affected by the housing shortage, and will either have to leave London or live in overcrowded and substandard housing.

Checks and balances should be included in the new London Plan so that the trend of poor performance is not able to continue without recourse. Policy H3 should be amended to include measures to make up for shortfalls in housing delivery measured over a two-year period. This should include safeguarded sites identified through the London Plan or borough Local Plans that could come forward quickly to make up any shortfall.

### **Policy H5 Delivering Affordable Housing**

The draft London Plan should include new measures that will significantly boost affordable housing delivery. As drafted Policy H5 largely reflects the status quo which has failed to deliver.

The adopted London Plan set a target of 17,000 additional affordable homes per year. The need for affordable housing was assessed in 2013 to be 25,600 per year. Therefore, the proposed target was already below the assessed need. Combined net affordable homes delivered in 2012/13 to 2014/15 was 22,426 units, an average of 7,475 per year. In 2015/16, only 6,675 affordable units were delivered. Therefore, there has been consistent under delivery of affordable units which places greater importance on meeting the undersupply and future demand.

Requiring a significant proportion of affordable housing on strategic urban extensions released from the Green Belt will boost significantly the supply of affordable housing in London.

## **CHAPTER 5 – SOCIAL INFRASTRUCTURE**

### **Policy S3 Education and childcare facilities**

The wording of Policy S3 should be strengthened to ensure that a sufficient supply of new schools are built to meet the needs of London's growing population.

As drafted, Policy S3 refers to "boroughs should identify sites for future provision through the Local Plan". The policy wording should be amended to "must identify", the same as draft policies relating to housing and employment (Policy x).

Building new schools to reduce education inequality should be on a par with building new homes and creating jobs and the London Plan policy wording for these critical issues should be consistent.

To use a local example, there is an identified need for two new secondary schools north of the A40 in LB Hillingdon (acknowledged by the Council and the ESFA). There are currently no available sites to build the schools and there are no proposed allocations included in the draft Local Plan Part 2 to meet the identified need in the future. It is critically important that the London Plan provides a strict and enforceable strategic framework to make sure that the evidence need for schools are planned for and delivered through Local Plans.

## **CHAPTER 8 – GREEN INFRASTRUCTURE**

### **Policy G2 London's Green Belt**

Policy G2 is not consistent with national policy. The draft wording of the policy goes beyond the remit of the NPPF and includes constraints on development that are not justified. Policy G2 should be amended accordingly to reflect the NPPF.

The NPPF affords Green Belt the highest level of protection but recognises that in exceptional circumstances boundaries may need to be altered (NPPF83) and in very special circumstances development that might otherwise be considered inappropriate can be approved in the Green Belt (NPPF88). These fundamental principles of Green Belt policy, enshrined by the NPPF, should not be conflicted by the London Plan.

#### ***Heathrow Airport***

A Green Belt Review should be undertaken of the wider area surrounding Heathrow in recognition of the major social and economic role the airport plays regionally and nationally.

Heathrow is the UK's only hub airport and is critical to the London and UK economy. Locally, Heathrow is also hugely important. Over 100,000 people, directly or indirectly, depend on the airport for work. Beyond aviation, Heathrow is also an economic hub for the clustering of office, commercial, industrial and logistic uses. The airport's future expansion will increase pressure to identify development land for jobs and homes nearby in LB Hillingdon.

The wider area surrounding the airport is constrained by Green Belt and the London Plan should proactively consider the implications of the expansion of the airport and the weight that should be afforded to the Green Belt where it could accommodate needs resulting from the expansion of Heathrow.

#### ***Wider housing context***

The draft London Plan is based on a constrained FOAN. Given that the draft London Plan acknowledges that it will fail to deliver the homes needed over the next 10 years alternative strategies should have been assessed, including a review of the Green Belt that allowed it to properly identify and weigh the social, economic and environmental costs and benefits of different options to understand the 'most appropriate' balance of sustainability between those interrelated elements. Without properly considering alternatives it is not possible to conclude that the submitted plan represents the most appropriate strategy in accordance with NPPF182.

#### ***Green Belt Review***

The Metropolitan Green Belt was drawn up over 80 years ago. It does not reflect the needs and the opportunities of the present or the future. The quality of its contribution to the five purposes of Green Belt has changed. The importance of that contribution, relative to today and tomorrow's pressures of housing stress (and its social and economic consequences) have changed.

Nothing has been done to understand the strategic value of the existing Green Belt to London and weigh its contribution against the opportunity costs of doing nothing. That is not positive planning for the most appropriate way to deliver sustainable growth.

The Redbridge Local Plan underwent examination in June – July 2017. The Inspector Report (dated 24 January 2018) found the plan sound and, in relation to Green Belt release, stated the following;

*"...without Green Belt sites the relevant housing requirement would not be met contrary to the aims of the NPPF and that there would not be general conformity with The London Plan...the recent record of housing delivery in Redbridge has been poor..."*

*In short, there is insufficient deliverable or developable 'brownfield' land to meet the requirement. This is also in the context of a recent under delivery of housing and an objectively assessed need that is much higher than the target in The London Plan. In combination these factors are of very significant weight in favour of developing Green Belt sites. (IR paras. 72 and 73)"*

With regard to further development on brownfield site, the Inspectors report states;

*"Moreover, further intensification could have a significant impact on transport junctions and links and the character and townscape of the Borough. In short, the Council has done all it reasonably can to meet its housing requirement from existing 'brownfield' sites and to optimise potential but the result is that a shortfall..." (para 45)*

This acknowledgement by the Inspector demonstrates that reliance on brownfield sites alone may have negative implications and that Green Belt release should be considered as a suitable alternative.

The Inspector's report continues to outline factors that support the release of Green Belt sites;

*"The first is that the recent record of housing delivery in Redbridge has been poor... The housing required by Policy LP1 equates to only 51% of the objectively assessed need so that the "gap" between supply and need is a substantial one. Without greenfield allocations this position would be even worse. These considerations mean that it is important for the Council to 'up its game' in terms of housing delivery as far as possible" (para 46)*

This conclusion highlights the issue of ongoing consistent poor housing delivery against a gap between supply and need. Without a green belt review, the ongoing poor housing delivery situation is likely to worsen and this demonstrates a clear case for the release of Green Belt land. While, on average, 749 dpa have been completed in Hillingdon in the past 4 years, a significantly increased housing target from 559 dpa to 1,553 dpa in the draft London Plan is likely to be unachievable and have significant implications, resulting in a gap between supply and need.

The Inspector confirmed that even if a site serves one of the five purposes of the Green Belt, other material considerations may outweigh the need to retain the land within the Green Belt – in the Redbridge context previous under delivery of housing and a high demand are significant material considerations in favour of developing Green Belt sites.

The Local Plan for LB Hillingdon set an annual target of 425 dpa, which was increased to 559 dpa following the adoption of the Further Alterations to the London Plan in 2011. The new housing target for LB Hillingdon as per the draft London Plan is for 1,553 dpa which is a 178% increase on the current target.

In light of the proposed significant increase in LB Hillingdon's housing target, the limited availability of previously developed sites and the potential expansion of Heathrow the possibility for de-designation of Green Belt should be supported in London Plan policies to allow housing targets to be met.

## **CHAPTER 12 - MONITORING**

### **Policy M1 Monitoring**

Chapter 12 and Policy M1 deal with monitoring only and should be expanded to include delivery, management and implementation policies to ensure that the London Plan is effective.

As drafted, the KPIs included in Table 12.1 are not specific, measurable, assignable, realistic and time-related (SMART), meaning it will not be possible to objectively measure the performance of the London Plan over the plan period in critical areas like housing delivery. This is a key failing of the draft plan.

Policy M1 should be amended to include SMART KPIs, as well as new measures for taking action if there is a record of under delivery in any individual KPIs.

The new London Plan should avoid past mistakes by including a review clause for boroughs to quickly remedy any emerging shortfall against minimum housing targets.

### ***Integrated Impact Assessment***

Whilst it is recognised that the Integrated Impact Assessment (IIA) is an ambitious document, in places it should be made clearer and its scope extended. Without doing this further work, it is not possible to conclude that the draft London Plan is based on a justified evidence base that represents the most appropriate strategy, considered against reasonable alternatives in accordance with NPPF182.

In addition, some of the recommendations included in the IIA have been ignored and should have been reflected in draft policies in the London Plan (see below).

### ***Strategic options***

The IIA is not supported by a Green Belt Review. As result the reported conclusions on the relative value of the Green Belt are not justified.

Without a comprehensive Green Belt Review (or the option for one through future Local Plans) the IIA adopts too narrow an approach to the opportunity for and benefits of limited Green Belt release in London. Proper consideration of limited Green Belt release as a reasonable alternative should be included in the IIA. Particularly where boundaries have not been reviewed for over 80 years and it is proposed to not meet FOAN for housing.

#### ***Policy GG2 (page 43)***

IIA Option 4 for Policy GG2 considers "selective" Green Belt release, without defining what selective means or identifying proposed locations.

Even so the IIA states:

*"This [Selective Green Belt Release] would bring a range of local economic benefits, helping to meet local demands and contribute to service and infrastructure provision. The release of land around commuter hubs could help to maximise and enhance strategic public transport infrastructure, underpinning sustainable growth. Green belt release in sustainable locations and areas of high PTAL could encourage inclusive growth, allowing access to the wide range of opportunities London has to offer. Increased public transport would contribute to improvements in air quality by reducing private vehicle use and associated emissions. Similarly, associated*

*traffic noise would also decline and good design can help to ensure the number of people exposed to high levels of noise is in decline. This option also promotes the delivery of employment and housing land which will benefit businesses and residents alike, and could play a role in strengthening the long term competitiveness of London” (Page 49).*

Despite the benefits identified above, Option 4 was discounted on environmental grounds. It was considered that the selective release of green belt land could have adverse impacts on species and habitats, and could set precedent for further green belt release, putting further natural capital at risk. The decision to discount Option 4 was made without reference to any specific sites, a Green Belt Review or Ecological Assessment.

The IIA goes on to state that the release of Green Belt land was also discounted on the basis that:

*“This [Green Belt] land often supports a range of social activities, including community events, sports and leisure uses and other schemes that support health and wellbeing. Although the release of green belt will prioritise low performing areas, this may have some adverse impacts on local communities, heritage assets and associated leisure opportunities. Releasing greenbelt land could also have negative impacts on flooding as it would increase the amount of non-permeable, tarmac ground and reduce soils and trees to intercept water. Similarly, air quality would also be negatively impacted by reducing the amount of green space and trees available to act as a carbon sink for emissions” (Page 49).*

In the absence of a Green Belt Review, the consideration of specific sites and other supporting evidence, it is not possible to arrive at the conclusions that all Green Belt release will have negative environmental impacts, result in the loss of social and leisure opportunities, have negative heritage impacts, result in increase in flooding and have adverse air quality impacts.

#### *Policy GG4 (page 61)*

The consideration for Policy GG4, delivering the homes Londoners need, does not consider the opportunity for and benefits of meeting affordable housing through limited Green Belt release. Including the potential to help to meet the London Plan strategic 50% affordable housing target.

### **Housing**

#### *Policy H1 (page 137)*

The IIA recommendation states that the Policy H1 should provide further reference to delivering housing to meet a range of needs including affordable. The GLA response states that these issues are covered within policy H5, however this is not the case.

We support the IIA recommendation and it is recommended that Policy H1 is amended to include further references to affordable housing delivery (as outlined in earlier these representations).

#### *Policy H3 (page 141)*

Policy H3 seeks to ensure LPAs assess housing delivery against policy targets. The IIA appraisal recommends a more comprehensive monitoring and review process of housing delivery against London-wide targets which we support. However, this was not included in the draft policy.

A more comprehensive monitoring and review process should be incorporated within Policy H3 as per the IIA recommendation and as set out earlier in these representations.

### **Green Belt**

*Policy G2 (page 225)*

The IIA fails to recognise the inherent conflict between Policy G2 and other policies in the London Plan; for example, not meeting London's full housing needs (Policy H1).

In the absence of a Green Belt Review, Policy G2 is not supported by evidence and is therefore not justified.

The IIA appraisal of Policy G2 is not objective and fails to identify the negative elements of Green Belt protection, including failing to meet housing and affordable housing needs, forcing new development to leapfrog the Green Belt resulting in unsustainable commuting patterns, and increased pressure to develop on urban open spaces and employment sites to meet housing needs.

We trust the above comments are helpful and will be taken into consideration in the next stages of the preparation of the London Plan. Please do not hesitate to contact me if you have any questions or require any further information in relation to LGCs.

Yours sincerely

**Andrew Johnston**