



Email:

Date: 02 March 2018

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Dear Sir

DRAFT LONDON PLAN (DECEMBER 2017) REPRESENTATIONS ON BEHALF OF ONE HOUSING GROUP

I am writing on behalf of One Housing Group (OHG) in response to the consultation on the draft London Plan (the Draft Plan). As the representations below explain, OHG support the vision but have concerns about how the Plan will be used in practice.

The representations have been prepared having regard to the requirements of paragraph 182 of the National Planning Policy Framework (NPPF) which requires plans to be 'sound' in terms of being positively prepared, justified, effective and consistent with national policy.

1 Background

OHG owns and manages over 15,000 homes across London and the South East. They are a Registered Provider that also builds and sells new homes on the open market, or rents them out commercially to raise money for more affordable homes. Its stock comprises both street properties and small and large housing estates. OHG pursues a variety of approaches to ensure it can maintain and improve residents' homes and provide new homes, including estate regeneration.

2 Spatial Development Patterns (Chapter 2)

Draft policy SD1: 'Opportunity Areas'

OHG welcomes the continuing inclusion of the Isle of Dogs as an Opportunity Area. It notes that, uniquely, the Opportunity Area is referred to in the context of both the Thames Estuary Corridor and as a satellite of the Central Activities Zone. In this context it can contribute to both contributing to London's world city functions and the regeneration of East London. The Draft Plan currently mainly refers to the Northern Isle of Dogs area as an office location, but in terms of supporting 'good growth' it is also important that housing capacity is optimised to support more sustainable travel patterns. It would be useful for this to be referred to in the Draft Plan.

3 Design (Chapter 3)

OHG are supportive of policies which secure good design. Such an approach is consistent with the NPPF, which has a core principle to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17). However, as we explain below, in a number of instances the Draft Plan is too prescriptive on design matters. It is a strategic plan, and matters of design detail



should continue to be dealt with in supplementary planning guidance and borough-level local plans where appropriate.

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

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

“B Development design should:

1) have regard to local context by delivering buildings and spaces that are positioned and of a scale, appearance and shape that responds successfully to the identity and character of the locality, including to existing and emerging street hierarchy, building types, forms and proportions. Development can also set its own context provided it is of a high-quality design.”

Draft policy D2: ‘Delivering good design’

There is no justification for including sub-sections ‘Design Scrutiny’ and ‘Maintaining design’ within a strategic planning document and they should be removed. Whilst OHG 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 borough 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.

Draft policy D4: ‘Housing quality and standards’

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. This part of the draft policy 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.

For the same reason, the statement in draft policy D4 part E which states that single aspect units should be avoided is not justified. 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 solely on aspect. It is 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 guidance (Standard 29) and the suggested draft

policy text will unnecessarily burden the design of schemes and indeed could limit the ability to optimise density as required by draft policy D6.

Supporting para. 3.4.2 makes reference to borough's resisting dwellings with floor areas significantly above those in Table 3.1 as they do not constitute an efficient use of land. This is not required given the density measures set out in draft policy D6: 'optimising housing density' and should be deleted.

Draft policy D6: 'Optimising housing density'

OHG welcome the Mayor's revised approach to optimising housing density set out in draft policy D6, thereby replacing the housing density matrix which has been ineffective for a number of years.

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. However, it is unclear why infrastructure assessments (beyond what is currently undertaken in documents such as a Transport Assessment) are required to accompany planning applications for larger developments. 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 and it should be deleted.

Draft policy D7: 'Public realm'

This requires the 'highest quality design' for public realm, whereas the NPPF (paragraph 56) refers to good quality design. Indeed other draft policies in the plan, such as draft policy D2 (delivering good design) refer to good quality design. It should be revised to be consistent.

Draft policy D8: 'Tall buildings'

OHG would encourage the Mayor to consider offering more positive guidance to boroughs in relation to Tall Buildings. Given the Plan's intention to maintain protections for the Green Belt, Open Space and Industrial Land, the additional growth required will need to come from more intensive use of sites, particularly in Opportunity Areas and Town Centres.

The current adopted Plan states (Policy 7.7C(a)) that Opportunity Areas and Areas for Intensification are appropriate areas for Tall Buildings subject to other criteria. It would be useful for this or a similar reference to be included in the Draft Plan. The Draft Plan should make it clear that large sites and Opportunity Areas can accommodate higher densities and set their own 'context', including in relation to tall and large buildings.

In terms of 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 acknowledge

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.

Draft policy D11: 'Fire safety'

Draft policy D11 states that all major development proposals should be submitted with a Fire Statement produced by a third party suitably qualified assessor. OHG welcome this addition to the London Plan.

4 Housing (Chapter 4)

Table 4.1

Consistent with the approach in the current London Plan, Table 4.1 – '10 year targets for net housing completions (2019/20 – 2028/29)' should be minimum figures. As set out in Central Government's September 2017 consultation – 'Planning for the right homes in the right places', the Objectively Assessed Need by boroughs in many instances exceeds those in the Draft Plan and this reinforces that the Draft Plan figure should be seen as a minimum in order to deliver a "step change" in housing supply.

Draft policy H6: 'Threshold approach to applications'

OHG welcome the Mayor's strategy to seek to provide greater certainty about the approach to affordable housing, which is largely set out in draft policy H6 (Threshold Approach to Applications). However, there are significant concerns that the following aspects of the draft policy are unsound:

- a) **Part B** states that the threshold approach will be reviewed in 2021 and, if appropriate, increased through supplementary planning guidance. Such an approach is flawed and is inconsistent with the NPPF (paragraph 173) which requires the scale of obligations to be considered to ensure that viability and deliverability are not threatened. An upward review only would preclude changes to reflect more challenging viability and deliverability. The process for the review is unclear and it is inappropriate for this to be deferred to supplementary planning documents which are required to be consistent with development plan policy but are not part of the development plan.
- b) **Part H** refers to scheme amendments being excluded from the FastTrack approach if the original permission did not meet the required threshold, tenure or other considerations. In practice such an approach is likely to deter the development industry from making amendments to consented proposals and thereby hindering the effectiveness of the Draft Plan. Proposals which potentially increase the number of homes and jobs, thereby helping to deliver the overall objectives of the Draft Plan, could be abandoned. The consented position, including the proportion and tenure of affordable housing, is a significant material consideration. The focus should instead be to apply scrutiny to the uplift or change in a scheme and not the overall viability.

Draft policy H10: 'Redevelopment of existing housing and estate regeneration'

Draft policy H10 criteria B and C requires affordable housing to be replaced on an equivalent basis and for the delivery of additional affordable housing to be maximised. OHG consider that this likely to pose significant challenges to some schemes.

The circumstance of every scheme will vary, but it is often the case that estate regeneration is only marginally viable. The blanket application of draft policy H10 B and C will prevent some schemes, and the economic and social benefit they bring, from coming forward. Unintentionally, it could therefore mean the homes that are provided in these schemes are at either end of the price range – low and high – but are not in the middle where there is significant demand. Policy H10 and the supporting text should provide greater support for the use of higher densities to help fund the delivery of such schemes and include more flexible wording to allow bespoke responses which would be agreed with the planning authorities. Criteria B should be revised to state the following; ‘.....*where appropriate providing at least an equivalent level of affordable housing floorspace, and generally where possible should produce an uplift in affordable housing provision.*’ Commensurate changes should be made to criteria C, which should also provide some flexibility on future rents to allow provision to be tailored to often different circumstances.

Furthermore, H10 C and the supporting text should also acknowledge that any replacement or new affordable homes will be of high-quality compared to that which will be replaced. Clearly the tenure of the new home built is important, but the quality and wider benefits to residents of a new home (such as better insulation and the potential for cheaper energy bills, for example) are also important benefits. Accordingly, paragraph 4.10.2 focusing on the aims of estate regeneration should include an additional category as follows: ‘where circumstances justify this approach, the construction of new high-quality homes.’

The supporting text in paragraph 4.10.3 should also be deleted as follows:

“4.10.3 In some cases, regeneration will include the loss and replacement of homes and it is important that any such scheme is delivered with existing and new residents and communities in mind. This is particularly pertinent for estate regeneration, and any proposals for such schemes should take account of the requirements of the Mayor’s Good Practice Guide.”

This good practice document is not part of the development plan or supplementary planning guidance and has no planning status.

Draft policy H12: ‘Housing size mix’

OHG 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 the supporting text (para. 4.12.2), prescriptive mixes are inflexible, are often not followed and also do not take into account market demand factors.

Draft policy E3: ‘Affordable workspace’

Draft policy E3 gives wide latitude to local planning authorities to impose requirements for affordable workspace as part of proposals where existing workspace exists, in areas where there is pressure for low cost space and in other locations (part B). Part B should be revised to include an additional requirement for local authorities to consider the viability of introducing such policies alongside other demands on development, including CIL and particularly affordable housing policies.

5 Heritage and Culture (Chapter 7)

Draft policy HC3: 'Strategic and local views'

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 Plan to using digital technology and 3D models (draft policies D2 and D8) to support design analysis. 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.

6 Green Infrastructure and Natural Environment (Chapter 8)

Draft policy 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 overly 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. Part A of the draft policy provides an appropriate strategic basis for this. Part B of the draft policy is not however justified and should be deleted.

7 Transport (Chapter 10)

Draft policy T5: 'Cycling'

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'

OHG 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 revised so that standards levels can 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'

The stipulation for all residential developments to be car-free (other than accessible parking) in PTAL 5 and 6 areas is unnecessarily restrictive and not justified. In OHGs experience, replacement car parking is a key concern in estate regeneration proposals and is often critical to secure buy-in from existing residents.

The stipulation in Part G that blue badge parking should be provided at a minimum of 3% of units is also unreasonably prescriptive and higher than the levels provided in recently consented developments in London. Part G2 is particularly problematic because it, in effect, requires safeguarding of land for a further 7% of units in case they are required. Where no car parking has been provided (as required by the current draft policy on sites with a PTAL of 5 or 6) this will mean that landscaping or other areas will have to be foregone to meet this requirement.



8 Summary

On the whole, OHG are supportive of the strategic direction of the Draft Plan. However, it is important that the emerging Plan does not constrain growth.

I trust careful consideration will be given to these representations and you will keep us informed on the progress of the Plan and further opportunities to participate in the process.

Yours faithfully

Tom Dobson
Director

cc. Chris Hageman - OHG