

Sadiq Khan, Mayor of London  
New London Plan  
GLA City Hall  
London Plan Team  
London SE1 2AA

Date 2 March 2018  
Our Ref 5001

Dear Mayor,

## **Representations on the Draft New London Plan**

We are the leading independent neighbourhood planning consultancy of professional planners, architects and sustainable development practitioners based in London. Since 2012, we have supported over 100 local communities in preparing plans across England, including Neighbourhood Forums in Westminster, Ealing and Kingston.

We have reviewed your draft London Plan from this perspective, based on our experience of how neighbourhood plans have added value to the development planning system elsewhere in the country and of how in other places they have struggled. Others will no doubt comment on the technical proficiency and spatial dynamics. We, however, focus on what in our view is a significant failure of your Plan to identify neighbourhood plans as a valuable, 'third tier' of the development planning system in London. As a result, it fails to acknowledge very specific policy opportunities where the speed and local grain of detail that neighbourhood plans, and their essential community engagement obligations, could make a major contribution to the success of your Plan.

In the annex to this representation we identify those draft policies in your Plan where made and emerging neighbourhood plans have supplemented and refined adopted and emerging Local Plan policies to be more effective in applying to their specific local area. They cover a very wide range of policy initiatives that have often had to withstand the scrutiny of judicial reviews in their making and of planning appeals at the development management stage.

In almost all cases, these plans have taken a positive approach to planning for growing communities in respect of allocating land for housing, businesses, community facilities and green infrastructure. In our experience, the result has been that most plans that have exceeded even 10% additional growth quoted in the December 2016 Written Ministerial Statement.

Contrary to what most in the development and housebuilding sector would have us believe, and to what many local planning authorities fear at the outset, neighbourhood plans have not proved to be a 'Nimby's Charter'. Instead, they have exposed local communities to the realities of the technical evidence (rather than relying on hearsay) and of making the necessary trade-offs that are inevitable in building sustainable communities and planning for growth.

Although it may seem a world away from the challenges facing London, this is a policy making dynamic that it shares with the Shires. Your Plan aims to tackle meeting the capital's housing and other needs in a series of innovative ways and you have made other commitments to tackling the ways in which estate regeneration is planned. This requires communities, especially those in suburban London, to think differently about how they function and appear and to figure out how to accommodate growth that does not undermine their long-term well-being as places to live, work and enjoy.

And these are precisely the same dynamics in smaller cities, towns and villages across England. Innovation has been necessary in local level spatial planning, site allocations, supporting infrastructure provision and design guidance. In most cases, finding the least worst green field on the edge of the settlement to deliver the lowest number of new homes that can be argued, has not worked well. And local planning authorities no longer have the resources (or in some cases, access to skilled and experienced staff) to be able to innovate in these ways in their own Local Plans.

Nowhere is the need to innovate greatest in London than in estate regeneration. But your Policies SD10 and H10 (despite a reasonably accurate summary diagnosis of the problem in their supporting text and in your recent 'Better Homes for Local People' report) fall far short of providing a coherent alternative to the way the planning system has been used to shape estate regeneration proposals in recent years. Worse, they fail to identify neighbourhood plans as providing precisely those features that you describe as essential to successful regeneration, i.e. proper community engagement from the earliest stages through to a referendum at the end.

We also fear an unintended consequence that may make neighbourhood planning in the capital even more difficult than it is already. You have been clear in your intention for the Plan to extend further into the policy territory of the Boroughs' Local Plans than in previous London Plans. Given the spatial shifts in policy you consider are necessary to deliver successful change in London, this is probably inevitable.

But, it is very likely that if your strategy is successful, the Boroughs will seek to occupy the remaining policy territory, irrespective of their resource limitations or of the added value of neighbourhood planning. We have seen this already in places like Westminster, where neighbourhood plans have been suffocated by the scope of the new City Plan. And this in a City that was an original active promoter of neighbourhood planning.

In our experience, it has been the lack of genuine policy space to occupy that has been the most effective brake on neighbourhood planning in London, not the more often quoted need to create new Forums. Most Boroughs have been very reluctant to create space through the review of their Local Plans and have taken a very strict approach to judging 'general conformity' with their adopted policies, which has led to the watering down or deletion of innovative policies. They are even less likely to shift their positions if they perceive they will otherwise be smothered by a combination of your Plan and neighbourhood plans.

At an event during the recent consultation period, your officers indicated that neighbourhood planning is not a matter for you, but rests entirely with the Boroughs, and in any event, is not obligatory and cannot therefore be defined as a third tier of policy making. Leaving aside the legal nuance as to whether or not they do form a third tier, they cannot surely be wished away by you when they are such a firmly established part of the English planning system.

And it is surely appropriate for you to use your influence through the London Plan to encourage positive neighbourhood plan making across the capital, just as much as you seek to manage common spatial and development management issues? A signal to the Boroughs in your Plan in this respect could make an enormous difference, especially in policy areas like estate regeneration and small sites allocations.

In summary, therefore, your Plan represents at best a very significant missed opportunity in failing to identify, let alone promote, neighbourhood plans in helping successfully deliver your objectives with local communities as partners rather than recipients. At worst, it will likely lead to London falling further behind the rest of England in the coverage of made neighbourhood plans.

As such, your Plan must be considered unsound in taking no account of national policy establishing the role and value of neighbourhood plans (as per §16 and §183 of the NPPF).

Yours sincerely,

## ANNEX

We set out in this annex extracts from the Draft London Plan (in italics) and our response in respect of identifying an opportunity to acknowledge in the Plan the role that neighbourhood planning could play (in bold text).

*0.0.22 This Plan provides the framework to address the key planning issues facing London. This allows boroughs to spend time and resources on those issues that have a distinctly local dimension and on measures that will help deliver the growth London needs. This includes area-based frameworks, action plans and Supplementary Planning Documents, site allocations, brownfield registers and design codes.*

**Even though they are not obligatory, Neighbourhood plans should be specifically identified as important parts of the plan making and development management system in London. They are very conspicuous in their absence from this paragraph.**

*0.0.23 It is crucial that all those involved in planning and development in London understand how London's two-tier planning system works and do not seek to duplicate policy or evidence unnecessarily.*

**Neighbourhood plans should be acknowledged as the third tier of plan making in London, again, irrespective of their non-obligatory status.**

*1.1.5 Early engagement with local people leads to better planning proposals, with Neighbourhood Plans providing a particularly good opportunity for communities to shape growth in their areas. Taking advantage of the knowledge and experience of local people will help to shape London's growth, creating a thriving city that works better for the full diversity of its inhabitants.*

**GG1 This is the single reference to neighbourhood plans in the Plan and is welcomed. They provide local communities with the opportunity have a positive engagement with planning system, to understand the evidence, to be familiar with the economics of development and of the inevitable policy trade-offs. Given this understanding, it is surprising that their value is not referenced again in the document.**

*1.2.2. The key to (making the best use of land) will be taking a rounded approach to the way neighbourhoods operate, making them work not only more space efficiently, but also better for the people who use them.*

**GG2 Neighbourhood plans enable local communities, with their detailed knowledge and appreciation of their areas and how they function, to better judge how to make the trade-offs between land an instinct to seek little or no change with an acceptance that change is inevitable. Local communities are well placed to judge the likely positive and negative effects of development and redevelopment on the functioning of their place.**

*1.4.5 Small sites in a range of locations can be developed more quickly, and enable smaller builders to enter the market.*

**GG4 Local communities are adept at using neighbourhood plans to provide an effective means of identifying, evaluating and allocating small sites and in setting out the key land use and development principles to encourage quality proposals.**

*2.6.2 This need for adaptation and diversification, together with their good public transport accessibility, makes many town centres appropriate locations for residential-led or mixed-use high-density development. Bringing new residents into town centres can enhance their commercial role, increasing footfall, particularly to support convenience retail, leisure uses and the evening and night-time economy. Town centres will also need to diversify the range of commercial uses, particularly smaller centres and those with projected decline in demand for retail floorspace. Boroughs and others should ensure their strategies, policies and decisions encourage a broad mix of uses while protecting core retail uses to meet demand.*

**SD6 Neighbourhood plans (especially those that are business-led) can help manage and promote change in smaller town centres, precincts and parades based on their intricate knowledge of their local area.**

*2.7.4 The sizes and uses of premises should relate to the role of the future centre within the town centre hierarchy. Such areas also present significant opportunities to reduce reliance on car travel, create attractive and welcoming places that encourage and enable walking, cycling and the use of public transport, and facilitate new housing.*

**SD8B Neighbourhood plans (especially business-led) allow for detailed decisions on town centre boundaries to be made based on very local intelligence and trade-offs.**

2.9.1 *It is therefore crucial that a strategy is developed for each town centre, to ensure that the local community continues to be well served and that the network of town centres across London continues to function successfully.*

**SD9C Neighbourhood plans (especially business-led) can lead the formulation of local strategies and blend with other local issues, e.g. regeneration.**

2.10.3 *All stakeholders, communities and individuals have a role to play in tackling poverty, disadvantage, inequality and the causes of deprivation, particularly in places where their impacts are acutely felt. There should be a focus on these areas in strategies, decisions, and bids for funding undertaken by the boroughs, the GLA family and other stakeholders to ensure these areas benefit from investment in strategic infrastructure, social infrastructure, and regeneration initiatives. In order to be effective in improving the lives of those most affected by inequality, regeneration initiatives must be undertaken in collaboration with local communities, involving a broad spectrum of groups and individuals, to develop a shared vision for the area. Successful regeneration requires all stakeholders to operate in a collaborative way, pooling resources and creating partnerships. There should be a shared understanding of how the regeneration area needs to change, and how that change will be secured, managed, embedded within and supported by the community. By taking an integrated, spatial approach to a wide range of issues, Development Plans and Opportunity Area Planning Frameworks have a key role to play in tackling spatial inequalities and the causes of deprivation.*

**SD10 Neighbourhood plans are very well suited to tackle Local Areas for Regeneration: by providing local communities with a degree of ownership of the project; by sharing the technical evidence to provide a common platform to identify and discount reasonable options; by raising the awareness of local people of the practicalities for delivering viable development; by enabling local communities to innovate to generate options that development partners may have ignored or discounted; by providing an independent examination of the final proposals; and by requiring a referendum to validate the final outcome.**

3.1.1 Good design and good planning are intrinsically linked. The form and character of London's buildings and spaces must be appropriate for their location, fit for purpose, respond to changing needs of Londoners, and make the best use of the city's finite supply of land. The efficient use of land requires optimisation of density. This means coordinating the layout of the development with the form and scale of the buildings and the location of the different land uses, and facilitating convenient pedestrian connectivity to activities and services

**D1 Neighbourhood plans offer a local scale to refine generic design guidance to apply to a local area. This will be especially valuable in have to take into account opportunities to densify and redevelopment to change land use mix in established areas.**

3.6.1 For London to accommodate growth in an inclusive and responsible way every new development needs to make the most efficient use of land. This will mean developing at densities above those of the surrounding area on most sites. The design of the development must optimise housing density. A design-led approach to optimising density should be based on an evaluation of the site's attributes, its surrounding context and capacity for growth and the most appropriate development form, which are determined by following the process set out in Policy D2 Delivering good design.

**D6 There will be appropriate and inappropriate locations and means of delivering small sites and of achieving higher densities in any local area. Neighbourhood plans can lead the design review process to identify the spatial options to achieve this objective and to make the necessary trade-offs to find small sites and enable higher densities. Local Plans will struggle to do this same job, given the Boroughs' limited resources and the likely local political resistance if local communities do not feel they are properly being involved in finding solutions.**

3.7.1 The public realm includes all the publicly-accessible space between buildings, whether public or privately owned, from alleyways and streets to squares and open spaces, including the Thames and London's waterways. Some internal or elevated spaces can also be considered as part of the public realm, such as shopping malls, sky gardens, viewing platforms, museums or station concourses. Such forms of public realm are particularly relevant in areas of higher density.

**D7 Neighbourhood plans provide a means of measuring the relative value of the public realm to manage change.**



3.12.1 For a long time, the responsibility for managing and mitigating the impact of noise on neighbouring residents and businesses has been placed on the business or activity making the noise, regardless of how long the noise-generating business or activity has been operating in the area. In many cases, this has led to newly-arrived residents complaining about noise from existing businesses, sometimes forcing the businesses to close down.

**D12 Neighbourhood plans can identify valued but noise-generating businesses or activities to benefit from the 'agent of change' principle based on local knowledge and opinion on the relative value of the business.**

4.2.1 For London to meet its housing needs, small housing developments of between one and 25 homes must make a substantially greater contribution to new supply across the city. Therefore, increasing the rate of housing delivery from small housing sites is a strategic priority. Achieving this objective will require positive and proactive planning by boroughs both in terms of planning decisions and plan-making.

**H2 Given the resource limitations of Boroughs and the risk that the 'presumption in favour' could lead to poor schemes in the wrong places, neighbourhood plans provide an excellent and speedy opportunity to identify small sites (through their own 'call for sites' exercises and local knowledge of land interests) and to identify through their allocation and/or design policies the key development principles to encourage quality proposals.**

4.10.1 The regeneration and intensification of London's housing areas has been, and will continue to be, a key part of the evolution of London, and critical to meeting its housing needs. It is important that existing homes of all tenures are well-maintained and are of good quality as these will continue to be the bulk of London's housing stock.

**H10 Neighbourhood plans are very well suited to tackle Estate Regeneration: by providing local communities with a degree of ownership of the project; by sharing the technical evidence to provide a common platform to identify and discount reasonable options; by raising the awareness of local people of the practicalities for delivering viable development; by enabling local communities to innovate to generate options that development partners may have ignored or discounted; by providing an independent examination of the final proposals; and by requiring a referendum to validate the final outcome.**



5.1.3 Planning for social infrastructure in London is complex. There are a wide range of providers and stakeholders and the degree of clarity around future provision and funding varies. It is therefore important that boroughs work collaboratively with service providers and other stakeholders, including the local community, to fully understand existing and future social infrastructure needs and plan appropriately for these, including through the Community Infrastructure Levy.

**S1-S6 Planning for social infrastructure need not be complex if there is a means of identifying capacity issues and planning for new infrastructure at the local level. Local Plans ought to have an effective spatial scale for this purpose but often fail to grasp needs and opportunities. However, provided they have an understanding of the supply of and demand for schools, doctors etc in their wider area, neighbourhood plans can manage the interactions between service providers in the local area to plan for the retention, improvement and replacement of social infrastructure.**

6.2.1 Smaller occupiers and creative businesses are particularly vulnerable and sensitive to even small fluctuations in costs. To deliver a diverse economy, it is important that cost pressures do not squeeze out smaller businesses, particularly from fringe locations around central London, but also across the capital as a whole. Ensuring a sufficient supply of business space of different types and sizes will help to ensure that workspace is available for occupation at an appropriate range of rents reflecting the specification, quality and location of the space.

**E2 The Plan (and wider Government planning policy) contains threats to established small businesses. To be effective, this policy will benefit from the local knowledge that a neighbourhood plan can capture to qualify the value of business locations and types to identify opportunities to protect, change and grow local business space.**

6.3.1 Affordable workspace is defined here as workspace that is provided at rents maintained below the market rate for that space for a specific social, cultural, or economic development purpose. It can be provided directly by a public, charitable or other supporting body; through grant and management arrangements (for example through land trusts); and/or secured permanently by planning or other agreements.

**E3 Neighbourhood plans can also identify opportunities to deliver affordable workspace through their local knowledge of the local business scene and the drivers of competitive business locations and premises in their area.**

6.6.1 Boroughs may designate locations that have particular local importance for industrial and related functions as Locally Significant Industrial Sites. These designations should be based on evidence in strategic and local demand assessments and should complement provision in SILs.

**E6 This will be a challenge for Boroughs to implement quickly and effectively. Identifying LSISs and setting appropriate development principles to manage their mix and scale of uses requires detailed local knowledge and a deep understanding of the business and land use relationships between the land and its surrounding area. Neighbourhood plans that have strong local business representation are well placed to assist Boroughs in this process or to take on this responsibility.**

6.7.1 In collaboration with the Mayor, boroughs are encouraged to explore the potential to intensify industrial activities on industrial land and consider whether some types of industrial activities (particularly light industrial) could be co-located or mixed with residential. Through Local Plans, boroughs should also take a proactive approach to the management of vacancy rates to reach a level appropriate to the efficient functioning of the industrial market.

**E7 This will be a challenge for Boroughs to implement quickly and effectively. Identifying the potential to intensify industrial land and to collocate will be site specific. Setting appropriate development principles to manage their mix and scale of uses requires detailed local knowledge and a deep understanding of the business and land use relationships between the land and its surrounding area. Neighbourhood plans that have strong local business representation are well placed to assist Boroughs in this process or to take on this responsibility.**

6.9.1 A diverse and competitive retail sector that meets the needs of Londoners and visitors to the capital is important. Retailing is undergoing a period of continued restructuring in response to recent trends and future forecasts for consumer expenditure, population growth, technological advances and changes in consumer behaviour, with increasing proportions of spending made via the internet. As a result, retailing has evolved to become multichannel, with a mix of physical stores, often supported by internet 'click and collect' in store or deliveries to homes, workplaces or pick-up points, and in other cases purely online businesses with no physical stores.

**E9 Neighbourhood plans can identify opportunities to increase/consolidate retail and other commercial uses, based on the local knowledge of local businesses.**

7.1.5 Development Plans and strategies should demonstrate a clear understanding of the heritage values of a site or area and its relationship with its surroundings. Through proactive management from the start of the development process,

*planners and developers should engage and collaborate with stakeholders so that the capital's heritage contributes positively to its future. To ensure a full and detailed understanding of the local historic environment, stakeholders should include Historic England, boroughs, heritage specialists, as well as local communities.*

**HC1 Neighbourhood plans can identify local heritage assets and define local areas of character to balance with densification and encourage beneficial reuse.**

*7.3.6 Clearly identifying important local views in Local Plans and strategies enables the effective management of development in and around the views. Local views should be given the same degree of protection as Strategic Views.*

**HC3 Neighbourhood plans can identify and qualify important local views with appropriate design criteria that dovetail with other proposals for change in their local area.**

*7.5.4 Boroughs are encouraged to develop an understanding of the existing cultural offer in their areas, evaluate what is unique or important to residents, workers and visitors and develop policies to protect those cultural assets.*

**HC5 Neighbourhood plans can identify and qualify local cultural venues and other assets based on local knowledge.**

*7.6.4 Each area will have its own character, which should be recognised and supported in order to maintain the rich diversity of London's night-time economy. Areas of international or national significance play a crucial role in putting London on the world stage, bringing internationally-renowned culture, performers and productions. Regional and sub-regional areas attract visitors from across and beyond London, and often have one or more larger venues and a mature night-time economy. These are generally in London's larger town centres. Areas with more than local significance draw visitors from other parts of London and tend to feature smaller venues and premises.*

**HC6 Neighbourhood plans (especially those that are business-led) can identify and qualify the value of the local night-time economy to achieve the right scale and mix of uses per location and can negotiate local solutions with the residential community.**

*7.7.3 In developing strategies and policies to enhance and retain pubs, boroughs should consider the individual character of pubs in their area and the broad range of characteristics, functions and activities that give pubs their particular value, including opportunities for flexible working.*

**HC7 Neighbourhood plans can identify and qualify pubs that play an important role in local community life for either protection as they stand, or to devise proposals for appropriate enabling development and land use change to secure a long term viable use of the premises.**

*8.1.2 All development takes place within a wider environment and green infrastructure should be seen as an integral element and not as an 'add-on'. It's economic and social value has become increasingly evident across all of London at all scales.*

**G1 Neighbourhood plans can identify and qualify local GI assets and opportunities to manage the effects of proposals that lie within or adjoin an asset to ensure that the asset is not harmed and that the chance to improve connectivity and GI value is realised (through the design of a landscape scheme for example). This is very difficult to achieve at the Local Plan spatial scale.**

*8.2.1 The Mayor strongly supports the continued protection of London's Green Belt. The NPPF103 provides a clear direction for the management of development within the Green Belt and sets out the processes and considerations for defining Green Belt boundaries.*

**G2 Neighbourhood plans may soon be able to make small housing site allocations in the Green Belt through changes to the NPPF. In our experience, the vast majority of local communities in the Green Belt around London will welcome this change to plan for affordable housing and community facilities especially.**

*8.3.2 The principles of national Green Belt policy<sup>104</sup> also apply to MOL. Any proposed changes to MOL boundaries which result in loss must be accompanied by thorough evidence which demonstrates that there are exceptional circumstances, as set out in the NPPF. The principle of land swaps could be applied to MOL where the resulting MOL meets at least one of the criteria set out in part D of this policy.*

**G3 If Neighbourhood plans are able to make site allocations in the Green Belt in due course, then they should also be able to do so on MOL for the same intent and to operate land swaps.**

*8.4.1 Although (local green and open spaces) may not provide the strategic functions of Green Belt or MOL, they are nonetheless important at the neighbourhood level, as they are the spaces which most Londoners use most often. Connectivity across the network of green and open spaces is particularly important*

**G4 Neighbourhood plans are the most appropriate vehicles to identify Local Green Space for protection either on its own or as part of a wider GI network as per NPPF §77, given that one of the three tests requires the Space to be special to the local community. This is not well suited to Local Plans and very few have done so.**

8.8.2 As provision for small-scale food growing becomes harder to deliver, innovative solutions to its delivery should be considered, such as green roofs and walls, re-utilising existing under-used spaces and incorporating spaces for food growing in new schools.

**G8 Neighbourhood plans can identify opportunity sites for local food growing as part of their identification of green infrastructure assets and networks. They can allocate land for this purpose as part of the allocation of small and redevelopment sites alongside other uses.**

9.1.8 Air Quality Focus Areas (AQFA) are locations that not only exceed the EU annual mean limit value for nitrogen dioxide (NO<sub>2</sub>) but are also locations with high human exposure. AQFAs are not the only areas with poor air quality but they have been defined to identify areas where currently planned measures to reduce air pollution may not fully resolve poor air quality issues.

**S11 Where AQFAs coincide with neighbourhood plan areas, the plan can identify bespoke local measures to improve air quality through land use and development decisions.**

10.2.3 The Healthy Streets Approach is an evidence-based approach to improve health and reduce health inequalities, which will help Londoners use cars less, and walk, cycle and use public transport more.

**T2 Neighbourhood plans can use the evidence base to identify Healthy Streets that fall within their areas and can identify local measures for their improvement through land use and development decisions.**

10.4.3 impacts on public health relate to air quality, road danger, noise, and severance. The phasing of development, and the use of travel plans and freight strategies, may help reduce negative impacts and bring about positive outcomes. Where adverse transport impacts have been identified from development proposals, mitigation will be sought.

**T4 Neighbourhood plans offer the chance to identify localised cumulative effects of proposals at key points on the local transport network and to identify local measures for their improvement through land use and development decisions.**

10.5.1 The Mayor will deliver, in partnership with boroughs, a new London-wide network of strategic cycling routes which will transform the convenience and experience of cycling for all types of trips.

**T5 Neighbourhood plans can identify local routes to connect with the strategic cycle routes and with green infrastructure assets, local retail centres, schools, Healthy Streets etc. and can ensure that site allocations on or adjoining a route can contribute to improving the route.**

10.6.1 The dominance of vehicles on streets is a significant barrier to walking and cycling and reduces the appeal of streets as public places. Reduced parking provision can facilitate higher-density development and support the creation of mixed and vibrant places that are designed for people rather than vehicles. As the population grows, a fixed road network cannot absorb the additional cars that would result from a continuation of current levels of car ownership and use.

**T6 Neighbourhood plans can help reconcile competing demands car parking space in the local area that reflect very local circumstances.**

10.9.3 Other transport infrastructure and improvements to public realm will be necessary to support London's growth. Through Development Plans, boroughs should work with the Mayor to identify current and future requirements and funding streams for transport infrastructure and other measures which support growth and create a high-quality public realm in line with the Healthy Streets Approach.

**T9 Neighbourhood plans can identify priorities for local CIL/S106 spend on transport and other infrastructure.**