

**Sadiq Khan (Mayor of London)**

New London Plan  
GLA City Hall  
London Plan Team  
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2<sup>nd</sup> March 2018

By Email: [londonplan@london.gov.uk](mailto:londonplan@london.gov.uk)

Dear Sir / Madam,

**RE: DRAFT LONDON PLAN CONSULTATION**

1. Thank you for the opportunity to make representations in relation to the Draft London Plan ('DLP') as published in December 2017. These representations are made by CBRE Ltd ('CBRE') on behalf of our client who has an interest in several sites across the city.
2. CBRE acknowledge the DLP's ambitious plans for housing growth which is reflective of need, together with the DLP's enhanced commitment to the protection of the Green Belt. The focus of this representation is on these two topic areas, particularly the housing targets and how they are intended to be achieved, and the tension that the housing policies are likely to cause with Green Belt policies.
3. By way of providing examples to justify our views, throughout this representation we focus specifically on two outer London Boroughs, namely, Bromley and Havering. These are the only two Boroughs where more than half of the land is within the Green Belt.

**HOUSING**

4. Paragraph 47 of the NPPF states that "local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period."
5. Paragraph 1.4.3 of the DLP confirms that the 2017 London Strategic Housing Market Assessment has identified a need for 66,000 new homes per year for 20 years. This is a significant overall uplift on the adopted London Plan which, through the London Strategic Housing Market Assessment of 2013, identified a need for 49,000 new homes per year. Paragraph 1.4.4 of the DLP states that the London Plan considers London to have a single housing market. It furthermore suggests that "Boroughs can rely on the housing targets [set out for each Borough] when developing their Development Plan documents and are not required to take account of nationally-derived local-level need figures."
6. **Policy H1 (increasing housing supply)** commences with a reference to table 4.1 that sets out the housing targets for each Borough and an insistence that Boroughs must plan for these targets in their Development Plan documents. This follows the principles of earlier versions of the London Plan, but the table proposes a significant uplift in housing targets, a point that is illustrated in the table below:

**Table 1: Total annualised London Plan housing delivery targets 2004-2019**

	2004	2008	2011	2016	2019	% INCREASE SINCE 2004
Bromley	570	485	500	641	1424	250%
Havering	350	535	970	1170	1875	536%

Source: London Plan 2004, 2008, 2011, 2016, Draft London Plan 2017

- Evidently, the largest jump in housing targets for Bromley is between the current adopted London Plan and the DLP, being a 222% increase within 3 years. For Havering, at 160%, this is the second largest leap. As the table demonstrates, the uplift in housing targets for Havering since the publication of the first London Plan in 2004 is a substantial 536%.
- The status of Development Plans for each London Borough will have a bearing on the deliverability of the DLP housing targets. In the case of Bromley, their Examination in Public took place between 4<sup>th</sup> and 14<sup>th</sup> December 2017. The Plan includes a housing target of 641 new homes per year. In the case of Havering, they are due to submit their Plan in March 2018. Their proposed submission contains a housing target of 1,170 new homes per year. It is noted these housing targets reflect the current adopted London Plan targets, whilst in the case of Havering, they also acknowledge that their Plan fails to provide a housing land supply that reflects this published level of need. Havering has also been the subject of significant historic under-delivery over the last seven years. Together with Bromley, these are just two examples where a proposed Borough plan is likely to become adopted shortly before the new London Plan is adopted. The implication being that these Boroughs will not have provided suitable land to meet the significant uplift in housing need set out in the forthcoming London Plan, with this remaining the case for the first few years of the new London Plan.
- Our view is that, given the significant uplift in housing targets, this must be a material factor in the deliverability of the London Plan, and if it is not, CBRE would be interested to know what the Mayor's expectations are of those Boroughs that have recently adopted plans in place. We consider it is arguable that paragraph 49 of the NPPF would render these new plans out of date.
- The above implications for these new housing targets would also extend to the Boroughs with older plans in place. A limited perusal of documents online revealed that 31 out of the 33 London Boroughs claim to have a current five-year housing land supply (5YHLS). Upon adoption of the DLP housing targets it is quite possible that only 12 out of the 33 London Boroughs would be able to claim a 5YHLS, just by crudely comparing current housing supply against the proposed targets. This comparison is conservative and does not take account of any buffers, or historic under-delivery, which is likely to result in more Boroughs failing to be able to claim a 5YHLS.

**Table 2: London's housing targets vs supply**

BOROUGH	DLP TARGET	ADOPTED LONDON PLAN ANNUALISED HOUSING TARGET*	LPA RECOGNISED ANNUALISED HOUSING SUPPLY FOR 5 YEARS	LPA VIEW ON 5 YEAR SUPPLY	5 YEAR SUPPLY POST ADOPTION OF LONDON PLAN
Barking & Dagenham	2,264	1,236	1,484	No	No
Barnet	3,134	2,349	3,125	Yes	No
Bexley	1,245	446	641	Yes	No
Brent	2,915	1,525	2,119	Yes	No
Bromley	1,424	641	731	Yes	No

Camden	1,086	889	1,424	Yes	Yes
City of London	146	141	186	Yes	Yes
Croydon	2,949	1,435	1,611	Yes	No
Ealing	2,807	1,297	1,355	Yes	No
Enfield	1,876	798	1,058	Yes	No
Greenwich	3,204	2,685	3,180	Yes	No
Hackney	1,330	1,599	1,824	Yes	Yes
Hammersmith & Fulham	1,648	1,031	1,566	Yes	No
Haringey	1,958	1,502	1,988	Yes	Yes
Harrow	1,392	593	1,343	Yes	No
Havering	1,875	1,170	1,015	No	No
Hillingdon	1,553	559	556	Yes	No
Hounslow	2,182	822	1,159	Yes	No
Islington	775	1,264	1,530	Yes	Yes
Kensington & Chelsea	488	733	882	Yes	Yes
Kingston Upon Thames	1,364	643	907	Yes	No
Lambeth	1,589	1,559	2,162	Yes	Yes
Lewisham	2,117	1,385	1,309	Yes	No
Merton	2,161	411	550	Yes	Yes
Newham	3,850	1,994	3,337	Yes	No
Redbridge	1,979	1,123	1,876	Yes	No
Richmond Upon Thames	811	315	309	Yes	No
Southwark	2,554	2,736	3,719	Yes	Yes
Sutton	939	363	611	Yes	No
Tower Hamlets	3,511	3,931	4,300	Yes	Yes
Waltham Forest	1,794	862	933	Yes	No
Wandsworth	2,310	1,812	2,904	Yes	Yes
Westminster	1,010	1,068	1,824	Yes	Yes

Source: various online documents relating to housing land supply.

\* With exception to Croydon, Newham, Wandsworth and Westminster, it appears that all other London Boroughs have applied the housing targets contained within the adopted London Plan in calculating their need

11. CBRE would welcome clarification on the impact that the proposed housing targets will have on the status and validity of Development Plans within the London Boroughs.
12. Part D of policy H1 requires Boroughs to publish annual housing trajectories based on the targets in table 4.1 of the DLP, whilst they should work with the Mayor to resolve any anticipated shortfalls. As is illustrated in table 2 above, we anticipate significant shortfalls in most of the Boroughs upon adoption of the London Plan should these ambitious targets be accepted by the Planning Inspector. We do not consider that those London Boroughs that are subject to significant increases in housing targets are likely to accept them.
13. **Policy H2 (small sites)** leads on from policy H1 and clearly sets out to increase the role that small sites (defined as being less than 0.25 hectares in size) should have in meeting London's housing needs. Paragraph 4.1.7

confirms that the London SHLAA of 2017 “includes an assessment of large housing sites (0.25 hectares and above) undertaken in partnership with boroughs... In addition, the SHLAA includes an assessment of small site capacity using a combination of trend data for certain types of development and an estimate of potential for intensification in existing residential areas.” Given this wording, it appears that this work was not completed in partnership with the Boroughs. Paragraph 4.1.8 confirms that modelling contained within the SHLAA shows that there is capacity for development on small sites for a total of 24,500 new homes a year across London. At 38%, small windfall sites make up a significant amount of the total capacity.

14. Paragraph 4.1.8 also confirms that such a windfall allowance is justifiable given “the policy framework set out in the London Plan; the Capital’s reliance on recycled brownfield sites in other active land uses; and the number of additional homes expected to be provided via increases in the density of existing homes through small housing developments.” CBRE notes that at no point does this paragraph refer explicitly to evidence.
15. Table 4.2 breaks the small sites target down into the individual boroughs. Table 3 below provides a comparison between the DLP small sites target and that in the adopted London Plan for both Bromley and Havering. From this, it is clear that the figures relate to the aims of policy H2. However, certainly in the case of these two Boroughs, the evidence of previous delivery of small sites does not reflect the numbers.

**Table 3: Annualised average London Plan housing delivery targets for ‘small sites’ 2004-2019 and percentage of total housing target**

	2016	2019	% INCREASE SINCE 2016
Bromley	352 (55%)	1029 (72%)	292%
Havering	150 (13%)	904 (48%)	603%

Source: Table 3.11 of London Plan SHLAA 2016, Table 4.2 of Draft London Plan 2017.

16. Paragraph 1.14 of Bromley’s Five-Year Housing Land Supply statement published in November 2017 confirms that: “evidence was provided to the Examination into the Further Alterations to the London Plan (2014) in relation to the increased small site target for the Borough. It was considered by Bromley Council that the small site target uplift [from 313 to 352] was too high and not sustainable over time. This evidence was not accepted and the relevant small site target for the Borough was 352 units per annum based on the 2013 SHLAA for the period 2015-2025 when the Further Alternations were adopted in 2015.”
17. Table 1 of the same document confirms that over the last five years Bromley has delivered a total of 1,425 units on small sites, equivalent to an annual rate of 285. The evidence suggests Bromley were correct to challenge the potential to deliver 352 units on small sites annually. Critically, this evidence far from proves the DLP target is appropriate, with Bromley’s historic delivery of 285 units on windfall sites accounting for just 28% of Bromley’s DLP annual target.
18. Similarly, paragraph 5.18 of Havering’s Housing Position Statement published in July 2017, confirms that an average 186 units have been delivered on small windfall sites per year over the last five years. As such, they have applied this evidence to their housing supply, which is reasonable in the context of paragraph 48 of the NPPF. Whilst this rate has exceeded the current adopted London Plan annual rate of 150, it remains 21% of the annual housing target for small sites in Havering as set out in the DLP.
19. Historic windfall delivery rates are required to justify allowance of windfall sites in an LPA’s five-year housing land supply, as set out in paragraph 48 of the NPPF. The above confirms there is no evidence to support the housing targets for small sites in Bromley or Havering as set out in the DLP, with the likely inference that this will be the case for many other Boroughs.
20. Paragraph 4.2.8 acknowledges that: “small housing developments are envisaged to be within close proximity to existing homes. These should be carefully and creatively designed to avoid an unacceptable level of harm

to the amenity of surrounding properties in relation to privacy, for example through the placement and design of windows and the use of landscaping". At the same time, policy H2 actively seeks to increase the densities of small sites, which in turn are unlikely to be favourably received by residents within close proximity. Conversely, planning applications for the development of large strategic sites, are often far less sensitive for the following reasons: (i) they are a greater proximity from existing homes so amenity impact is less; (ii) they generally benefit from a Local Plan allocation which has already been the subject of consultations; (iii) they provide the necessary infrastructure to support the additional population, often on site, if not through CIL or s106 contributions; (iv) they can support higher densities because they form their own character, focus and brand, and; (v) they often provide an opportunity to redevelop a large site that is either derelict or could benefit from remediation.

21. In terms of overall delivery, we note that despite the huge increase in housing targets for Havering and Bromley, only one new Opportunity Area (OA) in Romford has been identified within either of these Boroughs that can assist with delivering a greater number of homes. This will be supported by the forthcoming Elizabeth Line. However, the anticipated level of growth in Romford, the rest of Havering as well as in Bromley has already been planned for in their respective forthcoming local plans. In the case of Havering, Rainham and Beam Park forms part of the London Riverside OA. It is expected to become a key source of housing for the Borough, but, to date, the hybrid application for up to 2,900 new homes remains pending. It is noted that this allocation dates back to at least 2008 and not a single home has been constructed. The OA's Planning Framework, as published in 2015, acknowledges its wider area capacity of up to 26,500 homes<sup>1</sup>, however, seemingly without explanation, we note that the DLP suggests the capacity is now 44,000 homes<sup>2</sup>, equivalent to a 66% increase.
22. Paragraph 2.0.4 of the DLP acknowledges – and we agree – that to enable the successful delivery of such areas "infrastructure is key". However, Romford OA aside, there are no other committed notable infrastructure improvements to support the other two aforementioned OAs. Whilst we acknowledge the proposed Beam Park railway station in Havering, to date, we understand this has not been secured and such a proposal has been an aspiration dating back to at least 2008 during the previous Havering local plan review.
23. A failure to achieve the housing targets caused by a reliance on such a high proportion of windfall sites and a lack of identified strategic sites (amongst other reasons) will put more sensitive sites at risk of development, or, if London fails to consume its own growth, add to its reliance on authorities beyond London to address the City's housing needs. We acknowledge the requirement for authorities outside of London to cooperate with the Mayor, but a priority must be for the Mayor to ensure his own housing policies are sound, effective and compliant with the NPPF, in accordance with paragraph 182.
24. Overall, on the issue of housing, it appears that many London Boroughs are currently just about maintaining a 5YHLS based on adopted London Plan targets, or not at all in the case of Havering as well as neighbouring Barking and Dagenham. The significant increase in housing targets, a failure to allocate additional large strategic sites, infrastructure concerns and a huge reliance on windfall sites not reflective of trends, leads CBRE to the view that the proposed housing targets are woefully unrealistic and will result in a far greater number of Boroughs failing to demonstrate a 5YHLS. CBRE considers that the draft housing policies do not demonstrate compliance with the NPPF.

## GREEN BELT

25. Paragraph 8.2.1 notes that the NPPF (with reference to the section on Green Belt in full) 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. However, **Policy G2** does not appear to reflect this, offering a strong and clear view that de-designation of Green Belt boundaries will not be supported, in

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<sup>1</sup> Section 1.3 of the London Riverside OA Planning Framework

<sup>2</sup> Figure 2.7 of the DLP

conflict with referenced paragraphs 83-86 of the NPPF. CBRE considers that it is wrong for the DLP to deviate from the NPPF and should instead repeat paragraph 8.3.2 in the DLP that refers to Metropolitan Open Land but with reference to the Green Belt. We do not consider that the London Plan can legally remove the right of London Boroughs to conduct reviews and subsequently amend the boundaries of Green Belts through their local plan review process in accordance with paragraphs 83-86 of the NPPF.

26. CBRE recognises that parts of the Green Belt are of great value and must remain fully protected. However, designated Green Belt land does not imply beauty, public access or biodiversity, which is reasonable, given the fact that Metropolitan Green Belt was established 60 years ago with the purpose of preventing London growing outwards into the countryside and merging with other towns. With the effect of Green Belt policy being urban containment, an implication of this is extended commuting through the Green Belt. It is arguable that a failure to provide for its own growth will contribute to London's development becoming less sustainable.
27. We note that some commentators, such as the London Chamber of Commerce and Industry (LCCI), have questioned whether areas designated as Green Belt currently fulfil their purpose. Whilst the wording of the DLP suggests that the Mayor considers this remains the case, in the absence of any evidence, such as a London-wide Green Belt Study, it is difficult to know for sure, whilst this lack of evidence fails to substantiate a deviation from national guidance.
28. The LCCI published a report in December 2017 entitled "Brown for Blue – Land to house London's emergency workers." The report sought to identify 'brownspace' land within London's Green Belt, which is defined by the LCCI as being disused or has a poor quality land use and includes quarries amongst other land uses. The conclusion of the report revealed that there is the capacity to build up to 20,000 new homes on such land. Whilst the intention of the report is to assist with addressing the fact that 54% of London's emergency workers live outside of London, in more general terms, it helpfully highlights the fact that there are merits in limited intervention of the Capital's Green Belt land in order to provide much needed housing.
29. Page 10 of the LCCI report states that three former quarry/landfill sites in Havering at 13, 17 and 52 hectares in size have been identified. These three 'brownfield' sites have all previously been identified as such in the National Land Use Database. In addition, page 9 of the LCCI report identifies a further 37-hectare former landfill site in the Green Belt as being 'brownspace – poor land use'. These are four significant parcels of inferior quality, inaccessible and/or contaminated land that could assist in making a key contribution to meeting housing need within this Borough. Crudely, 121 hectares in total could deliver up to 5,500 new homes at an average modest density of 55 dwellings per hectare and still provide for around 20% open space.
30. This 37 hectare parcel of land in Havering referred to above, known as Mardyke Farm, was previously proposed to be removed from the Green Belt as part of that Borough's previous local plan review. At that time, a new housing-led development involving a total of 1,500 units were considered, together with improvements to public transport, shops, services and community facilities. The proposals were also to feature "the complete restoration of the remaining landfill site to create a high quality public open space in the Green Belt" according to paragraph 4.95 of the Inspector's report on the Havering Core Strategy and Development Control Policies DPD 2008. The scale and detail of the proposed development justified exceptional circumstances for its removal, according to the Council. The Inspector's conclusion on this matter was that removal of this site was not required to meet the housing needs of the authority through the Plan period, hence, the site remained within the Green Belt, despite in all other respects development being considered appropriate. Paragraph 4.97 of the Inspector's report also confirms the Inspector's application of PPG2 (Green Belts) which advised that detailed boundaries should not be altered or development allowed merely because the land has become derelict. The NPPF, which replaced PPG2, makes no reference to whether land is or is not derelict when identifying Green Belt boundaries.
31. It is therefore evident that matters relating to national Green Belt legislation and local/London housing need have changed significantly since 2008. The DLP proposes a significant increase in the Havering's housing need compared with 2008 and, as confirmed in Havering's Proposed Submission, the Borough does not

currently have a 5YHLS. As such, it would be entirely reasonable to revisit the Inspector's previous decision to not remove this site from the Green Belt.

32. CBRE does not consider it reasonable to expect local planning authorities beyond London with Green Belt land to have to review such boundaries to accommodate either their own or London's growth when London Boroughs can seemingly opt out of such a requirement given the wording of policy G2 in the DLP. Such an approach will introduce a nationwide inconsistency.
33. Given the intended uplift in annual housebuilding from 49,000 in the adopted London Plan to 66,000 in the DLP (an increase by more than a third), we consider the need to review London's Green Belt is greater than ever before. CBRE considers that a positive review could lead to the identification of numerous large, deliverable strategic sites within a single ownership that fail to meet their intended Green Belt purposes and could assist with the provision of much needed housing, and other associated uses, in sustainable locations. Such allocations would reduce the DLP's reliance on the development of more sensitive unallocated small sites, allowing the establishment of new character areas at high densities with minimal amenity impacts on nearby existing residents, policy compliant affordable housing and on-site infrastructure, with any Green Belt revisions being subject to the provision of new clear and defensible Green Belt boundaries.

## CONCLUSION

34. Paragraph 0.0.20 of the DLP claims that the plan has been developed over a number of months and supported by a proportionate evidence base. On the one hand, this paragraph also confirms the DLP has considered national policies, but later confirms that on occasion some policies depart from the NPPF. CBRE have identified examples of this and would question the legality of such an arbitrary approach. We do not consider that the policies we have referred to above have been backed up by sufficient evidence which in turn leads to demonstrable tension between policies.
35. We consider it reasonable to request a review of the DLP's unjustified position in relation to Green Belt policy. With such a significant increase in housing targets, CBRE considers it is also reasonable to take this opportunity, in accordance with paragraph 83 of the NPPF, to conduct a review of Green Belt boundaries with the intention of identifying such land that no longer fulfils the purpose of being within the Green Belt, which could then become an allocated site to assist with the delivery of homes to meet London's needs.
36. Paragraph 182 of the NPPF sets out the 'soundness test' criteria for Local Plans. For the above reasons, we consider that the DLP in its current form is not legally compliant or sound, which is a requirement under this paragraph:
  - Positive prepared – we do not dispute that the DLP is an ambitious plan, but are unconvinced that its housing targets are deliverable given the significant reliance on the development of unidentified small sites, which does not appear evidenced or the subject of consultation with the Boroughs;
  - Justified – our limited findings suggest that the DLP is not based on sufficient evidence. Reliance on the delivery of small sites will only increase should the identified large development sites not come forward at the rate expected, or at all. The reliance on many of the infrastructure improvements is unjustified given that they are not committed to financially;
  - Effective – the DLP relies heavily on cooperation with authorities beyond London to ensure development needs are met. For reasons already stated, CBRE does not consider the plan is deliverable;
  - Consistent with national policy – by its own admission, the DLP does not comply with national policy and we have highlighted two specific examples in respect of Green Belt boundary reviews and the lack of evidence to support the significant reliance of windfall sites on meeting London's housing needs.

37. To address the matters raised above CBRE consider the following is necessary:

- The publication of evidence to justify the reliance on the delivery of such a high proportion of housing on small unidentified sites, including evidence of past-delivery as required by the NPPF;
- Evidence of cooperation with the London Boroughs on the decision to include such high housing targets for small sites;
- The identification of an appropriate additional number of large strategic sites that could deliver the necessary infrastructure on site to support high density housing schemes and reduce the contribution of small housing sites on meeting London's housing needs;
- Confirmation of the implications of adopting these housing targets on the status of Borough plans and whether these would be deemed out of date if a 5YHLS cannot be demonstrated;
- A London-wide Green Belt study.

38. We trust the above views will be taken into account and look forward to engaging further on the progress of the new London Plan.

Yours sincerely,

LORRAINE HUGHES  
SENIOR DIRECTOR