

Draft New London Plan

Response from West Sussex County Council

March 2018

1. The County Council welcomes the opportunity to comment on this Consultation Draft of the London Plan. Although supportive of a number of policies, the County has a number of concerns as identified below.

Collaboration in the Wider South East

2. The Plan refers to the Wider South East (WSE) in very general terms and it does not make much, if any, distinction between working with those authorities within the inner ring (i.e. adjacent/near to London) and those in the outer ring (such as West Sussex). Clearly, the areas within the inner ring have stronger links with London. Therefore, the Plan would benefit from making that distinction and by setting out its specific approach to the issues that are relevant to the inner ring area/authorities; this includes addressing interdependencies, migration, Green Belt, AONB, and the specific strategic infrastructure priorities).
3. Although some of those issues are relevant to the outer ring area/authorities, some are not or are less acute/pressing and, therefore, a different approach is required within the Plan.

Growth Locations in the Wider South East and Beyond

4. It is noted that the Plan aims to accommodate all of London's growth within its boundaries without intruding on its Green Belt or other protected open spaces. However, as some migration will continue, it is also noted that the Mayor is interested in *"working with willing partners beyond London to explore if there is potential to accommodate more growth in sustainable locations outside the capital"*.
5. The draft Plan states that this partnership work could help deliver more homes, address housing affordability and improve economic opportunities outside London. The focus will be on locations that *"are (or are planned to be) well-connected by public transport and where development can help meet local growth aspirations as well as wider requirements"*. The focus could be on optimising rail capacity between London, the wider region and beyond.
6. Another area of focus could be proposals for new/garden settlements with good links to London. The draft Plan states that the Mayor could help to investigate and secure mutually beneficial infrastructure funding to unlock these opportunities.
7. Although the Plan's stated intention is to meet London's needs within its boundaries (without revisions to the Green Belt), the housing targets only cover the period to 2029 and, therefore, the County Council is concerned that the Mayor will be looking for some of London's need to be met in the WSE as part of 'longer-term contingencies'.

8. Furthermore, no housing figures for the WSE are proposed and the Plan is not clear about the likely locations (although it is assumed that focus will be on the radial and orbital corridors identified as Strategic Infrastructure Priorities). Therefore, although the Plan refers to co-operation and partnership working with 'willing' authorities in the WSE, given the likely problems of delivery increased housing numbers to 2029 and lack of clarity about long-term intentions, the County Council is concerned that the GLA will start to apply pressure for local authorities outside London to make provision for some of London's unmet needs in the short and medium-term, not just in the long-term.
9. Further, even if the GLA does not apply pressure (through the duty to cooperate), there is likely to be pressure from developers at local plan examinations for adjoining areas to meet unmet need from London.

Wider South East - Strategic Infrastructure Priorities:

10. The draft Plan identifies 13 priorities within the WSE, three of which relate to West Sussex. One of the eight radial priorities is the '*Brighton Mainline (London-Gatwick-Brighton)*' and two of the five orbital priorities are '*North Downs Rail Link (Gatwick-Guildford-Reading-Oxford) including extension to Oxford*' and '*A27/M27/A259 and rail corridor (Dover-Southampton)*'.
11. It is noted that the Mayor considers that some of the pressure on London can be alleviated through collaboration in the WSE to achieve local ambitions for growth and development. However, the Mayor accepts that this may require further infrastructure and that the Mayor will work with key willing partners, including local authorities, to "*explore strategic growth opportunities where planning and delivery of strategic infrastructure (in particular public transport) improvements can unlock development that supports the wider city region*".
12. It is also noted that the Mayor will look to enter into Memoranda of Understanding to formalise commitments and partnership agreements with relevant authorities where mutual interest can be achieved through "*work with the capital on opportunities for growth*".
13. Although investment in public transport in the priority corridors is welcomed in principle, it is unclear how and why the priorities have been identified. For example, it is not clear why the '*A27/M27/A259 and rail corridor (Dover-Southampton)*' has been selected; there is no direct link with London (other than taking pressure off the M25) and it is not clear from the Plan how investment in strategic infrastructure in that corridor would help to deliver growth opportunities that would also benefit London.
14. Also, it is unclear why only some sections of those transport corridors have been included, for example, the '*South West Mainline, Crossrail 2 South West (London - Surrey/Southern Rail Access to Heathrow) and A3*' stops at Guildford and not continue down to Portsmouth, whereas the '*Great Eastern Mainline (London - Ipswich - Norwich) and A12*' extends over a much greater distance from central London.
15. Furthermore, it is noted that the Mayor's support for investment in strategic infrastructure (in particular, public transport) is contingent on 'mutual interests' being achieved. Although not explicitly stated in the Plan, this is taken to mean

some of London's needs being met in the longer-term (in addition to local needs being met).

16. Given that housing delivery in London to 2028/29 is extremely challenging and the fact that the Plan does not identify the likely levels of unmet need from London from 2029 to 2041, it is not possible to determine the potential implications of the London Plan on West Sussex. Therefore, although the County Council would welcome investment in the priority corridors identified in the Plan (given current capacity constraints etc), this investment should not be contingent on West Sussex accepting and meeting, without reservation, unmet housing need from London.

Housing provision to 2028/29

17. The Plan's approach of developing on brownfield land first is supported. However, it is disappointing that the Plan only makes provision to 2028/29 when local planning authorities are required by national policy to plan for a 15 year period and to demonstrate how housing need will be met during that period.
18. Furthermore, the County Council is concerned that the Plan only makes provision for the delivery of around 65,000 additional homes per annum to 2028/29 against an assessed housing need of about 66,000 homes a year. Also, the Plan does not address how this shortfall will be met.
19. The County Council is concerned that the focus on meeting need to 2028/29 through higher density development and smaller sites is very challenging and will not be delivered by the London boroughs (as it requires a significant increase over current delivery rates). This is likely to result in an even greater shortfall during that period and the burden to meet this need will fall on the authorities outside London (who will struggle to meet their own need given constraints including Green Belt, protected landscapes (including National Parks and Areas of Outstanding Natural Beauty), and other environmental designations, including nature conservation sites of international importance).
20. Therefore, the Plan should identify short/medium-term contingency measures to provide flexibility and to address need to 2028/29 if the strategy fails.

Housing provision between 2028/29 and 2041

21. The County Council is concerned that the plan does not identify housing need in the period between 2028/29 and 2041 and that there does not seem to be any analysis by GLA about the numbers that London could accommodate need post-2029. Therefore, although a plan, monitor, manage approach is understood, the Plan should set out some evidence-based thinking about post-2029 provision, including scenarios re possible housing need and strategic options to meet need to 2041.

Waste

22. Part A1 of Policy SI7, which sets out the approach to supporting the circular economy and reducing waste being disposed of, is supported in principle. However, there is no clear definition of 'circular economy' and there is no detail about how 'a more circular economy' can be achieved other than by trying to obtain 'highest value', which is also not defined.

23. Part A3 of Policy SI7 seeks to ensure that zero biodegradable or recyclable waste goes to landfill by 2026. This is supported as it is recognised that disposal by landfill is lowest on the waste hierarchy and the landfill capacity around London, including in West Sussex, is falling at a rate quicker than it is being replenished.
24. Part 4b of Policy SI7 sets out a recycling target of 95% of construction, demolition and excavation waste by 2020. Although supported in principle, this is considered to be unrealistic as the London Plan will not be adopted until 2019 and, therefore, there is a need for a more meaningful target and to address the implications of a lower recycling rate being achieved.
25. Part A1 of Policy SI8, which sets out that London will be net waste self-sufficient, is supported. However, it is suggested that this does not apply to excavation waste because it is generally exported from London for large recovery operations (and it is unlikely that an equivalent amount of another waste could be imported to London for management to achieve net self-sufficiency).
26. It is important that the London Plan promotes the highest possible use for excavation waste. Therefore, it would be beneficial for the Plan to set out the volumes and types of waste that London expects to import and export, as this will provide a basis to monitor whether targets are being met and to ensure that suitable facilities come forward. It would also enable authorities outside London to plan for any additional waste that would potentially be exported from London to their plan areas.
27. The County Council supports the approach in Policy SI8 to safeguarding all waste management facilities, as well as the application of apportionments for each borough authority in terms of allocations that are to be made through development plans. By setting out an apportionment at this higher level, and also setting out that it may be pooled between authorities, is more likely to result in capacity provision that is viable and, therefore, more likely to result in sufficient capacity to achieve net self-sufficiency.
28. The County Council supports Policy SI9, which seeks to ensure that all existing waste management sites should be safeguarded, and only being allowed to be lost if compensatory capacity is made within London. Without safeguarding capacity, the ability for London to achieve net self-sufficient is unlikely.
29. However, the validity of only safeguarding when compensatory capacity is to be provided (based on the maximum throughput in the previous three-year period) is questioned. This could result in a lower compensatory capacity being provided; rather, the maximum design capacity should be provided as compensation. The Plan's approach risks a reduction in capacity, which will make it difficult to achieve the overall strategy. Therefore, the supporting text of Policy SI9 should be clear what 'appropriate compensatory capacity' means because there is the risk that recycling or treatment capacity is lost and only replaced with transfer (or bulking of waste) capacity, which would not be considered appropriate.

Minerals

30. Part A of Policy SI10 sets out a strategy for providing an adequate supply of aggregates in London, largely through encouraging re-use and recycling, extracting land-won aggregates, and importation by sustainable transport

methods. As large amounts of construction, demolition and excavation waste are currently exported from London for processing, it is questionable whether London has the capacity in place to produce sufficient levels of recycled aggregates. Furthermore, it is questioned why the wording 'steady and adequate' supply is not used, as per the NPPF.

31. The County Council supports the references to safeguarding resources, aggregate recycling sites, and also wharves and railheads. However, it is questioned why resources and recycling sites are mentioned together in clause C of Policy SI10, whereas wharves are identified in clause D2. All aggregate/minerals infrastructure should be set out within one clause, with mineral resource in another clause. It is also questioned why there is no reference to other important minerals infrastructure, such as asphalt, mortar, on concrete sites. The safeguarding of these is vital to ensure that the materials are provided for the planned levels of construction in London (and to be compliant with NPPF paragraph 143).
32. Clause D1 of Policy SI10 specifically references a reduction of the environmental impact of aggregates through ensuring appropriate use is made of conditions to deal with aftercare, restoration, and re-use of mineral sites. However, the policy would be strengthened by requiring the best use of conditions to reduce the environmental impact during operations. Furthermore, this should also address the impacts of local communities, not just the environment.

Aviation

33. It is noted that the Mayor believes that expansion at Gatwick (rather than at Heathrow) could deliver significant benefits to London and the UK more quickly, at less cost, and with significantly fewer adverse environmental impacts. However, the County Council does not consider that the evidence supports the view that the environmental damage caused by a second runway at Gatwick would be outweighed by the economic benefits.