Local Plan Independent Examination

OPDC Response to Hearing Actions (Matter 17- Post development monitoring)

OPDC to provide written copy of argument presented.

This response sets out a written copy of the verbal response provided at the hearing regarding Matter 17 Post development monitoring.

1. Introduction

1.1 OPDC contends that post construction surveys are effective, sound and are also an important tool in ensuring new development is sustainable over the long term. This is in line with the overarching goal of the National Planning Policy Framework (NPPF) which states that the purpose of the planning system is to contribute to the achievement of sustainable development.

1.2 Development in Old Oak and Park Royal will represent a type of development that is relatively new in London. Its scale, massing, heights, form, mix of uses, and density are generally higher than most areas of the capital. For this reason, OPDC have gone to considerable lengths to demonstrate through the draft Local Plan that development meets the sustainable development criteria set out in the NPPF.

1.3 However, OPDC believes it is both prudent and important to ensure that that the policy objectives are monitored over the life of the project. This will ensure that a vibrant, resilient and low carbon development is achieved and that this monitoring continues to inform future planning policy and guidance.

2. Rational

2.1. Delivering high quality design will be essential in ensuring that Old Oak as a new part of London and Park Royal as an intensified industrial estate are a success. Evidence suggests that high density development that is poorly designed can lead to poor social, environment and economic outcomes.

2.2. Considerable work has been done by organisations like University College London, the Zero Carbon Hub, UK Green Building Council, the Better Building Partnership, the Mayor of London and the Department for Business, Energy & Industrial Strategy (BEIS). For example, BEIS's Innovate programme shows that there is a significant performance gap between the policy and regulatory targets for energy and water use and actual use. At the same time, little work has been done by local authorities or developers to test their

buildings for an extended period after construction to understand if their policies are being met and if not why not.

2.3. The failure to meet key targets like carbon emissions standards jeopardise the Mayor's goal to transform London into a zero-carbon city by 2050 or for the government to achieve its climate change goals (see para148 of the NPPF*; the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience etc.*).

2.4. The failure to meet the government's Part L Building Regulation targets for energy can also result in higher energy bills for residents and businesses which can have a significant impact on vulnerable residents.

2.5. The Greater London Authority (GLA) is also concerned about the performance gap and the failure of development to meet its zero carbon obligations. For this reason, the GLA has introduced in the draft London Plan policy SI2 (B). This provides a requirement for major developments to undertake monitoring for a period of 5 years after practical completion. The expectation is that this policy will be approved through the Examination in Public. Therefore, the precedent for post occupancy monitoring will have been agreed.

2.6. Further, whilst some modelling is undertaken during design of developments during the development management process to understand the impact on micro climate and the urban heat island effects of development, the modelling is necessarily high level and rarely takes account of the cumulative impact of many buildings on these factors. This can result in overheating, poor air quality, high and disruptive wind regimes and other impacts which perhaps were not predicted during the design phase.

2.7. In addition, OPDC understand that where modelling is part of a development requirement, the very fact that a developer and / or contractor knows that monitoring will be undertaken leads to better overall performance.

2.8. Understanding how the development actually performs in operation is essential to ensure that the policy intent has been achieved, and a sustainable development created that delivers wellbeing and a good quality of life to the users of the development whilst also meeting important environmental goals.

3. Purpose of modelling

3.1. The modelling will be used to:

a. Provide assurance that policies have been delivered and the goals that the policies aim to achieve have been met;
b. Results from monitoring will help identify the causes of any gap between goals and outcomes. This will help identify that where policies have not been met, what remediation actions the developer will be required to undertake to make good on a policy. In some cases, OPDC recognises that it may not be practical to remediate a failure and alternative arrangements may have to be arranged (for example where carbon targets are not achieved the developers may be asked to provide contributions to the carbon off-set fund);
c. Ensure that policies are effective and achieving their stated aims or whether they need to be reviewed in light of evidence arising from extended post occupancy monitoring. This will provide evidence to support an amendment to the Local Plan in line with NPPF 33: *Policies in local plans and spatial development strategies should be reviewed to assess whether*

they need updating at least once every five years and should then be updated as necessary;

d. Ensure that over the different phases of development, OPDC and developers are learning about what works well, what works less well and how development can be continuously improved;
e. Help developers and their consultants understand where design of their buildings, public space, infrastructure would improve the overall quality of the development so they can take appropriate action or ensure that on future projects the lessons are learned; and
f. Help developers understand where changes to management and maintenance could deliver better outcomes.

3.2. Monitoring will support the requirement in the NPPF (2018) para 127 that: *Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area,* ***not just for the short term but over the lifetime of the development****;*

4. Policies that are proposed to be modelled

4.1. Areas we consider need to be modelled include:

a. health and safe communities outcomes;
b. social interaction, cohesive and inclusive communities – identity and experience;
c. Safe and accessible places;
d. Promoting healthy lifestyles;
e. Successful shared spaces;
f. Sufficient and good quality social infrastructure that is accessible;
g. High quality and sufficient open space that serves the needs of residents, workers and visitors;
h. Successful delivery of sustainable transport including good quality streets the encourage walking and cycling and adequate provision and access to public transport;
i. Environmental impacts associated with transport including air quality, congestion from resident, business and other uses (logistics/waste collection, deliveries etc.), which are rapidly changing;
j. Achieving high quality communications;
k. A visually attractive district with a sense of character;
l. Addressing climate change, including energy targets and carbon emissions;
m. Meeting water use standards;
n. Mitigating flood risk which is very sensitive given the capacity of the existing sewer network;
o. Delivering net biodiversity gain including over the establishment period that is typically 3-5 years;
p. Achieving the urban greening factor over the establishment period;
q. Waste management and collection including achievement of recycling targets;
r. Meeting Overheating and daylight targets;
s. Creating internal layouts of accommodation that residents deem are good quality;
t. Creating service cores that residents believe are of a good quality;
u. Cycle parking and storage lock up facilities;
v. Ensuring ground contamination has been successfully remediated;
w. Noise impacts from new and existing development;
x. Addressing light pollution;
y. Achieving air quality positive; and
z. Delivering a comfortable micro climate including control of wind speeds.

5. Post Occupancy Evaluation Supplementary Planning Document (SPD)

5.1. To support policies DI3(e) + EU9(a) OPDC published the Post Occupancy Evaluation Study (SD61) supporting study that defined the case for monitoring and developed an approach both to quantitative and qualitative monitoring.

5.2. OPDC is now working on development of an SPD to support the policy requirements which will set out the principles for developers.

5.3. OPDC appreciate that monitoring will impose an additional burden on developers and it is therefore looking to ensure that monitoring provides substantial benefits at the least cost possible. It is doing this by:

a. Developing a standard approach to quantitative and qualitative monitoring including specifications and questionnaires;
b. Developing a platform for all monitoring data to be uploaded to. This will help to streamline the process but also ensure that appropriate access is managed and provided to OPDC, developers and residents/businesses and other stakeholders as necessary;
c. Providing an online dashboard that different parties can get different levels of access to (this will be designed to be fully accessible and also meet data protection standards);
d. Proposing that independent qualified assessors carry out the monitoring and undertake the questionnaires to ensure there is consistency, high standards are maintained, hard to reach groups are surveyed where possible and a minimum of 20% of the resident/business population are surveyed;
e. Requiring 3 audits are carried out for major developments, the first between 6-18 months after occupation and 1.5 – 3 years after occupation; and
f. Costs are kept as low as possible through economies of scale.

6. Conclusion

6.1 Post occupancy monitoring will help:

a. Developers identify and make corrections/remediations either to the physical development or management and maintenance to meet policy objectives as appropriate;
b. OPDC identify ways to improve and enhance the overall area through its role as a delivery body;
c. Developers and OPDC learn and share from their experience and the feedback and use the learning when bringing forward future phases of development; and
d. OPDC gather evidence base to make changes to its planning policies and guidance over time.