

What's next for the London Plan?



Heather Sargent

Recap

- 8 October 2019: Panel issues its report
- 9 December 2019: Mayor issues “Intend to Publish” version of the Plan
- 13 March 2020: Secretary of State directs that “due to the number of inconsistencies with national policy and missed opportunities to increase housing delivery”, the Plan cannot be published until the Directions set out by the Secretary of State have been incorporated
- 24 April 2020: Mayor’s response to Secretary of State

The Mayor's response

- “I believe **some amendments will be required** to ensure the directions are workable in practice. My officials have now assessed their specific impacts and we consider amendments are needed to the modifications in order to remove policy ambiguities and achieve the necessary outcomes. This assessment has included **identifying information that your officials did not have access to when drafting the directions** and we are happy to share it to underpin the discussions.”
- “Whilst I have instructed my officials to engage positively and constructively, I am hopeful that a form of wording we all find acceptable can be found as **it would be hard for me to propose publishing my Plan if I believed this would be detrimental to the needs of London.**”

The Secretary of State's letter

Criticisms made of the Mayor:

- Housing delivery “deeply disappointing” during Mayoralty
 - Critical strategic sites stalled
 - Delivery jeopardised by onerous conditions imposed on estate regeneration schemes
- Panel has only deemed plan credible to deliver 52,000 dpa against Mayor’s own identified need of 66,000 dpa
 - Plan “tilts” towards one-bed flats “at the expense of all else”
- Plan is overly prescriptive, “with policies on things as small as bed linen”
- “Throughout the Plan you have directly contradicted national policy”

The Secretary of State's letter

Specific areas in which the Secretary of State considers that the Plan has fallen short:

- “Actively discourages ambitious boroughs”
- Small sites policy
- Industrial land
- Housing mix
- Optimising density

Note additionally the final section of the letter, headed “Future Housing Delivery in London”: going beyond what can be achieved by directed modification of the draft Plan

Small sites

Panel: “major misgivings”; small sites targets are not realistically achievable

- Presumption in favour of small housing developments (Policy H2A) deleted
- Housing targets revised down:
 - Small sites target: 245,730 over ten years = 119,250 over ten years
 - Overall housing target: 649,300 over ten years = 523,000 over ten years
 - Overall annual target: 65,000 dpa = 52,000 dpa
- Result: **significant gap** between the overall housing target (52,000 dpa) and the need figure (66,000 dpa)

Panel's response to the "gap"

Decides against pausing the Plan or determining that it should be withdrawn

Either course of action would lead to considerable delay and a "knock-on" effect for new borough plans

"It is difficult to see how the number of deliverable housing units could be increased without consideration being given to a **review of the Green Belt** or further exploration of potential with **local authorities within the wider South East**"

- but that would all take time; better to proceed on the basis of an adopted plan than one that is in limbo

Industrial land

Secretary of State has directed that the requirement of “no net loss” of capacity within designated SIL and LSIS be removed

Supporting text is also to require boroughs (where possible) to seek to deliver intensified industrial floorspace capacity in existing and/or new appropriate locations

Rationale: easier to replace existing industrial land that can subsequently be **released for housing development**

Green Belt

London Plan policy is to be aligned with the NPPF: Secretary of State has directed the introduction of the “**very special circumstances**” and “**exceptional circumstances**” tests

Panel:

- “Inescapable conclusion” is that if London’s development needs are to be met in future, a review of the Green Belt should be undertaken “at least” to establish “any potential for sustainable development”
- Recommends that the Plan include a commitment to a Green Belt review, best done as part of the next London Plan

Recommendation not accepted by Mayor

Green Belt

Secretary of State

- Both letter and directions are silent on the question of Green Belt review
- Letter:
 - “Preventing unnecessary urban sprawl so that we can protect the countryside for future generations. This means densifying, taking advantage of opportunities around existing infrastructure and making best use of brownfield and underutilised land”
 - Mayor’s “failure to tak[e] the tough choices necessary to bring enough land into the system to build the homes needed”
 - Need to support “ambitious boroughs” in going **beyond** the Plan’s housing targets

Density

Secretary of State has directed changes to Policy D3 but the requirement remains that the design of the development must “**optimise** site capacity”

- Higher density developments “should be promoted” in areas that are “well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling”
- Expansion of existing clusters of high density development “should be positively considered” by boroughs
- “Gentle densification” should be actively encouraged in low- and mid-density locations

Final thoughts

- Significant gap between housing need and the Plan's housing target
- What's the solution?
 - The wider South East?
 - Green Belt review in the next London Plan “after all”?
- Impact on production of borough local plans

Thank you for listening

© Copyright Landmark Chambers 2020

Disclaimer: The contents of this presentation do not constitute legal advice and should not be relied upon as a substitute for legal counsel.

London

180 Fleet Street
London, EC4A 2HG
+44 (0)20 7430 1221

Birmingham

4th Floor, 2 Cornwall Street
Birmingham, B3 2DL
+44 (0)121 752 0800

Contact us

✉ clerks@landmarkchambers.co.uk
🌐 www.landmarkchambers.co.uk

Follow us

🐦 @Landmark_LC
🌐 Landmark Chambers