

## Review of London Plan July 2011 by Peter Eversden, London Forum

The London Forum of Amenity & Civic Societies is a charity established 23 years ago and is a federation of over 130 community groups in the capital. The London Forum was represented at most of the sessions held between June and December 2010 by a Panel of Inspectors for the examination in public (EiP) of the draft replacement London Plan (DRLP). Several London Forum members gave evidence also on proposed policies that affected their areas.

The new London Plan has additional policies to those in the previous version on social infrastructure, town centres, response to climate change, community participation, legacy from the Olympic games, place shaping and the use of Community Infrastructure Levy.

London Forum considers that key points arising from the new London Plan are as follows.

- The Plan lacks sufficient emphasis on reducing the need to travel but it states in Policy 6.3 that boroughs should phase or refuse development if the existing transport capacity is insufficient.
- The development of Inner London has additional policy content for the involvement of existing and new residents and the importance of community engagement.
- Opportunity Area Masterplans are to be developed with boroughs as supplementary planning guidance.
- In Policy 2.14 for regeneration areas, the Mayor has declined to accept the Inspectors' recommendation for no net loss of affordable housing.
- Definition of a small supermarket has been reduced from 2,000sqm to 500sqm.
- Change of use of strategic industrial locations is to be constrained.
- Policy 2.18 for green infrastructure has been extended considerably since the draft version. Boroughs and communities will need to make sure it is applied locally.
- Policy 3.1 on ensuring equal life chances for all contains important aims and boroughs are to identify people's needs. Policy 4.12 has strategic aims to tackle low participation in the labour market and to provide a more highly skilled workforce.
- Supply of housing proposed in the Plan was thought by the Inspectors to be inadequate in numbers. See the section in the following report on Policies 3.3 to 3.11 for which the Mayor has not accepted several of the Inspectors' recommendations.
- Office employment growth to 2031 has been reduced considerably since the draft Plan version.
- Retrofitting of existing homes for improved energy efficiency is an important task but the Mayor's RENEW programme may not be sufficient. (Policy 5.4)
- Renewable energy and energy technologies have to be planned by boroughs.
- The Environment Agency sought more action on rainwater recycling.
- The Panel's report recommended that the Mayor should consider introducing tailored forms of road-user charging where appropriate. The Mayor has declined and added words into the Plan that he does not envisage examining road user charging whilst he is in office. That was not consulted upon or discussed at the examination.
- The Plan has policy support for expansion in London of car clubs.
- Chapter 7 of the Plan contains new strategic policies for good design, public realm, architecture, place shaping, heritage protection and building neighbourhoods. Boroughs and communities should ensure LDFs contain suitable policies for context sensitivity of development, including locations where tall buildings would, or would not, be suitable.
- The air quality strategies are not likely to reduce pollution to acceptable levels and the Inspectors were critical.
- Waterways policies have been strengthened and boroughs are to produce Thames Policy Area appraisals and action plans. Planning applications for waterside sites must be considered against the new set of Blue Ribbon Network strategies.

- This is the first version of the London Plan to have content within each policy of what should be in a borough LDF on all subjects and the basis on which borough's development plan decisions should be made. That requires boroughs to check general conformity of their LDF and borough case officers to quote each relevant London Plan policy in reports to planning committees with assessment of whether or not they are met.

## **Review of the EIP Inspectors' report, the Mayor's response and the Plan policy content**

The Inspectors recommended that "attention should be given as to whether additional cross-references or topic-based linking material might not be beneficial to ensure that key elements of relevant policy packages are not overlooked by those unfamiliar with the form of the Plan." The Mayor response was "Welcome suggestion, and scope for additional cross-referencing will be examined, but the Mayor is mindful of keeping the Plan length to a workable minimum". The Plan lacks links in several places and its structure means some subjects are covered by content in two chapters.

### **FOREWORD** of the new London Plan

In the introduction, the Mayor states that "we must realise the opportunities presented by the Thames and other waterways." This is welcome, as those giving evidence pointed out that some waterways policies had been weakened since the 2008 Plan version. The Mayor seeks economic growth, enough homes meeting a diversity of needs, defence of green and open spaces, better opportunities for all and the highest quality development which must deliver social and environmental aims. There will be a regularly updated implementation plan, delivery of the policies in the Plan will be monitored and changes made when necessary.

### **CONTEXT AND STRATEGY**

The Plan's population figures in paragraph 1.6 have been updated since those in the DRLP to statistics for 2009. Estimates for 2026 and 2031 are those submitted by the GLA to the EIP.

Strong emphasis is placed on achieving the infrastructure to support growth (the topic of the first Implementation Plan steering group held on 19th July 2011). The Plan seeks more social infrastructure and community participation in identification of requirements.

The Plan's strategic objectives have benefited from the Inspectors' proposal to include "sufficient high quality homes and neighbourhoods" in the Mayor's first objective, as community groups requested. The Inspectors' recommendation to add the issue of deprivation to the Mayor's first Objective has been incorporated. **A proposal by London Forum for an objective to reduce the need to travel was not accepted by the GLA or the Inspectors and Objective 6 for access lacks that emphasis.**

Paragraph 1.60 explains that in the Plan content 'Planning decisions' policies should be reflected in LDFs and 'LDF preparation' policies should inform planning decisions, with 'strategic policy' providing the context for both. That should give communities opportunities to seek improvements in borough LDFs and to seek that applications are considered on both local and London Plan policies.

### **LONDON PLACES**

The EIP Inspectors recorded representations that the statement in para. 2.9 'Heathrow is currently the UK's only hub airport' conveys uncertainty over the future of the airport and they recommended removing the word 'currently'. **The Mayor has declined to make that change as he considers that there is a need for additional runway capacity in south-east England. He endorses national policy that this capacity is unlikely to be provided at Heathrow, and consequently considers that there may be an additional hub airport serving London over time.**

**Growth areas and co-ordination corridors** Policy 2.3 has a section on the strategic input to LDF preparation, which London Forum sought. Outer London boroughs should plan for cross regional issues.

**Legacy from the 2012 Games** Policy 2.4 has been strengthened by Inspectors' recommendations to include the words "It will sustain existing stable communities and promote local economic investment to create job opportunities (especially for young people), driven by community engagement" and more about accessible and affordable sport and recreation. Boroughs are to ensure development proposals in and around the Olympic Park embody the highest environmental standards and enhance open space provision and waterways in the area for the full range of benefits they bring. They also have to support the provision and creation of a range of workspaces suitable for new and existing enterprises.

**Sub-regions** are to be the basis on which London Plan implementation is to be monitored (Policy 2.5). The East sub-region now contains ten boroughs, half of which are in the Plan's defined Inner London.

**Outer London** Policy 2.6's supporting text is strengthened since the DRLP version to emphasise the importance of public transport with strategic interchanges, the development of a range of homes in sufficient numbers, appropriate location of retail development and identification of cultural quarters.

For **Inner London**, the Inspectors' report gave considerable weight to the evidence of the London Tenants Federation about problems that had arisen during estate renewal and area regeneration.

**The Inspectors recommended adding to Policy 2.9 "sustaining existing established communities with their involvement" and the Mayor has included changes to the Policy and added words for the involvement of existing and new residents and a reference in paragraph 2.41 to the importance of community engagement.**

Inner London population growth is expected to be 46% of London's population growth by 2031 (para.2.38). Paragraph 2.40 states the Mayor's commitment to the improvement of better roads and streets and green public spaces to create places that are fit for a great world city. Paragraph 2.43 mentions fourteen other policies in the Plan, most of which London Forum argued apply to all Places.

The **Central Activities Zone** map is very complicated but easier to understand than earlier versions.

Policy 2.12 for Central Activities Zone Local Activities now requires identification, protection and enhancement of predominantly residential neighbourhoods and the development of sensitive mixed uses elsewhere. The CAZ's heritage and environment are not to be compromised (paragraph 2.45).

**The Mayor did not accept the Panel's proposals about the northern part of the Isle of Dogs** and decided that "It should not be included formally within the CAZ, nor should all the CAZ policies be applied to this area." He proposed to keep the position under review.

**Opportunity Areas and Intensification Areas** Policy 2.13 was debated extensively at the EiP and the Inspectors accepted that there could be obstacles in the way of immediate development such as lack of infrastructure provision and transport. They emphasised the joint preparation of OAPFs and borough DPDs to ensure progress of each scheme and recorded concern of communities that there had been no consultation on the homes and employment figures and strategic direction for the areas.

The Inspectors concluded that Opportunity Area Frameworks are strategic level supplementary planning guidance (SPG) whereas Intensification Area 'frameworks' are borough Area Action Plans. They sought removal of uncertainty for communities on how best to influence plans for their areas.

For **Regeneration Areas**, Policy 2.14, the new London Plan has a significant paragraph 2.64 devised by Inspectors for **"active engagement with residents, businesses and other appropriate stakeholders"** and for consultation activities **"to empower residents and develop wider skills"**.

**The Mayor has changed the Panel's recommendation 2.9, for 'no net loss of affordable housing in regeneration areas', at the end of Policy 2.14, with his own replacement words "These plans should resist loss of housing, including affordable housing, in individual regeneration areas unless it is replaced by better quality accommodation, providing at least an equivalent floorspace." Those provisions are likely to be tested by lawyers.**

On the proposal of the Panel, the Mayor has inserted an extra paragraph for regeneration, 2.65: "Relevant plans should include a programme for implementation of policies and proposals designed to minimise disruption of the communities and businesses affected."

**Town Centres** Policy 2.15 has been improved in strategic aims, the required content of LDFs and supporting text since the DRLP version. **Ealing** remains a Metropolitan Centre after the Inspectors rejected local residents' contention that it is two centres and that the classification distorts development decisions. The Inspectors cautioned that a new retail centre of the magnitude indicated for the **Battersea** CAZ frontage in the Vauxhall, Nine Elms, Battersea planning framework would appear to represent a departure from CAZ definitions. That was a concern raised by London Forum and capacity analysis and impact assessments are needed.

The Inspectors endorsed **Canary Wharf** as a potential Metropolitan Centre within the Plan period.

Following arguments of the London Forum, the Inspectors recommended change in the definition in the new Plan's Annex 2 of a small supermarket from 2,000 sq m to 500 sq m and that has been done.

**Strategic Outer London Development Centres** are covered by Policy 2.16 for which the Inspectors endorsed the Mayor's suggested changes for planning frameworks and made recommendations which are included in the Plan to omit 'retail' and add strategic functions of 'green enterprise' and 'sports'.

**Strategic Industrial Locations** (Policy 2.17) is similar to that in previous London Plans but there is emphasis in para. 2.84 on resisting change of use of such land, which has run ahead of benchmark.

**Green Infrastructure** Policy 2.18 had many suggested changes by the GLA at the EiP in response to criticism by participants. All 44 changes are in the 2011 London Plan version and it refers now to the Blue Ribbon network for its contribution to green infrastructure functions and the use of open space for outdoor education and children's play. The policy was amended to meet EiP participants' wishes for inclusion of natural and historic landscapes plus emphasis upon achieving networks of green and open spaces and addressing deficiencies through LDF policies. The Inspectors warn that they see the ambition for new regional and metropolitan parks in London and the linking of green infrastructure into chains will be problematic, as there will be competing uses and CIL contributions will be needed.

Green infrastructure is now to be considered across the GLA boundary by strategic policy.

The **Key Diagram** shows three of four Regional Park Opportunities. The other is London Riverside.

## LONDON'S PEOPLE

**Ensuring Equal Life Chances for All, Policy 3.1, has had the strategic reference to the importance of social infrastructure removed since the DRLP**, despite the Mayor's emphasis on it in the Context and Strategy section of the Plan, as above. Its protection, enhancement and further provision is left to the boroughs. The policy text in para. 3.7 has eleven cross references to other policies for local communities' needs but the Inspectors refused London Forum's request to include reduction of noise and pollution and they did not support requests by community groups for a local infrastructure matrix.

**Improving Health and Addressing Health Inequalities** policy has been improved by an Inspector's recommendation for which the Mayor has inserted an additional Policy 3.2C: "The impacts of major development proposals on the health and wellbeing of communities should be considered through the use of Health Impact Assessments (HIA)".

**Increasing Housing Supply** is covered by Policy 3.3. There is a 'gap' of 2,690 dwellings each year which the Plan expects to be reduced by boroughs exceeding the targets which the Plan sets on them. The policy promotes mixed use redevelopment of surplus commercial capacity which is similar to the Government's unacceptable proposals for permitted change of use of commercial buildings to dwellings.

At the EiP, communities, academics and developers had argued that the National Housing and Planning Advisory Unit's upper figure of requirement for housing in London of 44,700 dwellings pa would be a better aim in order to address backlog, second homes and vacancies. The Inspectors suggested that the total housing requirement might need to be increased by 4% over and above household growth to maintain the status quo. Their report included EiP participants' comments that the Government's proposals for capping housing benefit levels would require more social rented housing to be built.

The Plan states in paragraph 3.18 that "32,600 dwellings pa figure is a sound basis for showing the net requirement for housing" and it refers to the total requirement figure of 34,900 for "meeting the backlog of need over ten years", hence a 'gap' of 2,690 dwellings pa.

The Inspectors' conclusion was that **37,400** dwellings pa will be required without seeking explicitly to make any allowance for meeting backlog. They recommended adding words to the Plan at the end of paragraph 3.18 which included "*It may be appropriate to regard a range of 34,900-37,400 dwellings pa as the potential requirement to ensure sufficiency of provision for London's residents.*" They recommended also the insertion of the word 'minimum' before 'gap' in 'There is a gap of 2,690 dwellings'. They proposed adding words "*the gap may be as high as around 5,000 dwellings pa*"

**The Mayor has declined to add those changes into the new Plan. He considers the Inspectors' approach "methodologically unsound" and he has not included the 37,400 requirement figure.**

However, he has added to paragraph 3.19 that he will be "working with partners to exceed the minimum provision target and to identify the need for alterations to this Plan. In the meantime, he has started a review of the way in which housing figures informing this Plan are developed."

The Inspectors stated that only if housing in Opportunity Areas and Intensification Areas can be increased from the figures in Annex 1, will there be "a realistic opportunity of closing the gap without a review of the urban boundary."

**Optimising Housing Potential** is addressed by Policy 3.4 which includes the sustainable residential quality (SRQ) matrix of habitable rooms and dwellings per hectare determined by the setting of the development location and its public transport accessibility level (PTAL).

The Inspectors rejected the proposal by the TCPA and London Forum that development schemes should be required to show very special circumstances for exceeding the ranges in the matrix. They leave the testing of that to the wording of the emerging Mayoral Housing SPG and they suggest that the SPG should minimise any impact that unsubstantiated density expectations might have.

In the Plan Table 8.1 there is a Key Performance Indicator that "Over 95 per cent of development to comply with the housing density location and the density matrix (Table 3.2)" That is important as densities higher than the range for a site compromise the standards for children's play space required in the Mayoral SPG on that subject and reduce residential quality of private and public amenity space and light to some habitable rooms. The problem is that Policy 3.4 wording does not imply sufficient constraint on exceeding appropriate densities to make that KPI likely to be met. The policy does state that development should be 'within the relevant density range' but paragraph 3.28 suggests the kind of flexibility that may have led to the sixty-odd percent of housing schemes over a past period being above the relevant range. The London Plan and the Housing SPG must ensure that does not continue.

Fortunately, paragraph 3.30 states that even planned transport improvements will still mean a development should be within the higher end of the range.

**It is essential the published version of the Mayor's Housing SPG for the July 2011 London Plan ensures that the density matrix will be the basis of decisions and that exceptions can result in Mayoral call-in.**

**The Implementation Plan must monitor built densities.**

Paragraph 3.29 states "lower density development is generally most appropriate for family housing."

The London Plan confirms in paragraph 3.31 that the density figure for any scheme should be based on net residential area, which includes internal roads and ancillary open spaces.

**Quality and Design of Housing Developments** (Policy 3.5) includes reference to a plan-led **presumption against development on back-gardens**. London Forum objected to that and sought borough decision making for it, based on local circumstances because 'back gardens' have been, and will continue to be, a necessary source of some supply. The Inspectors recommended wordings to emphasise "*the need for a suitable evidence base at local level for area-wide policies seeking to control such development.*" The Mayor has included a variation of that in London Plan paragraph 3.34.

The Mayor had included in the DRLP a Key Performance Indicator (KPI 10) in Chapter 8 that loss of garden land to residential development should be no more than 120 residential units developed on garden land/year. The Inspectors criticised the definition as not consistent with the entries for two different types of garden land in the Glossary and they sought an explanation of the figure. Otherwise, they recommended that KPI 10 should be deleted, **which the Mayor has done**.

The policy supports any borough which wishes to devise DPD policies to protect back gardens or other private residential gardens but that would have to be "locally justified by a sound local evidence base."

The Inspectors recommended Policy 3.5 should be changed in its Strategic section by deleting the words 'presumption against' development on back gardens and replacing them with "*policies to control*" such development. **The Mayor has not made that change**, despite general moves towards localism, because "The Mayor considers that, as a matter of law, there is no longer a simple presumption in favour of development as suggested by the Panel. Further, the planning system is now plan-led. The Mayor takes the view that the inappropriate loss of garden land is a strategic issue."

**Clarification on this subject will be sought in the Housing SPG.**

**Minimum Space Standards** are in Table 3.3. The Inspectors reported the results of the *Cost and Delivery Impact Assessment* of the Interim London Housing Design Guide which warned of effects on viability, potential loss of dwellings in small schemes of nine flats or less and the impact in areas where sales values are low. The Inspectors concluded there would be an adverse impact on affordability of the new housing space standards. They recommended that in both the title of Table 3.3 and in the supporting paragraph, the word 'minimum' for space standards should be replaced by "indicative" .

**The Mayor has not made that change because he responded that it would be "undermining the importance of providing a clear direction of travel in strategic policy – it is clearly intended that these standards should generally be minimum standards. SPG properly provides guidance on the flexibility inherent in implementing the policy."**

An additional row has been added to the top of Table 3.3 of minimum space standards to provide for 1 person/bedspace units with an indicative floorspace of 37sq m.

**Children and Young People's Play and Informal Recreation** Policy 3.6 was approved at the EiP. Table 7.2 gives the size and distance from homes of local parks, small open spaces and pocket parks.

**Large Residential Developments** are covered by Policy 3.7. Sites over five hectares or capable of accommodating more than 500 dwellings should have high public transport accessibility and should be progressed by a plan-led process for the provision of associated infrastructure and high quality design. *London Forum considers that high quality design has been lacking in such schemes.* The policy requires the planning of these areas to take place with the communities involved. The Inspectors concluded that such schemes should come forward through site allocations DPDs.

**Housing Choice** Policy 3.8 was considered by the Inspectors to be important for seeking a suitable mix of housing types. The London Strategic Housing Market Assessment 2009 does not recognise how particular housing types are to be spatially distributed. LDF policies should address the housing needs. The Inspectors agreed with participants at the EiP that housing needs should be met where they arise **to avoid the risk of people being displaced from where they are now.** The policy requires boroughs to take account of the needs of communities with large families and to consider extending their homes. The policy is more specific than Policy 3A.5 in the 2008 London Plan for housing provision for older Londoners and new paragraphs 3.50/51 were added by the GLA during the EiP on further work the Mayor has started to identify where new policy approaches will be required.

The policy and supporting text (paras. 3.52 and 3.53) cover provision of **student accommodation** which should not compromise capacity to meet the need for conventional dwellings. The Inspectors recommended change of text in paragraph 3.53 to cover environmental and social characteristics and the avoidance of 'studentification' within existing family housing areas.

**The Mayor has declined to add those requirements. He will establish a forum for boroughs, higher and further educational establishments and developers. Communities will have to seek borough consultation on student housing.**

The Mayor has added to the text in the Plan that a forum of boroughs "is likely to consider issues such as the scope for identification of land particularly suitable for student accommodation having regard to the housing, transport and other policies in this Plan, and to monitor future demand and capacity."

For **Gypsy and Traveller** pitch provision, the Mayor has deleted policies that were in the DRLP. In their report the Inspectors stated that "a solution reliant wholly on boroughs acting individually is unlikely to meet the demonstrable need for significantly increased numbers of pitches for Gypsies and Travellers." They wrote that ensuring sufficient provision of pitches is a strategic matter in the context of London and the Mayor's recent new responsibility for HCA roles gives him control of funding for all needs. They devised a table for the HCA sub-regional provision of a range of 235 to 301 pitches and they recommended the reintroduction of the March 2010 Minor Alteration on that sub-regional basis.

**The Mayor has not accepted the recommendations and relies upon borough plans and the testing by consultation and public examination of the targets for pitches and the robustness of the evidence on which they are based.**

The Mayor stated his reason as follows: "In his view, the Panel have given inadequate weight to the clear change in national policy that has been indicated by ministers. The status of guidance issued anticipating the abolition of regional spatial strategies has been resolved by the courts since the Panel's report was written, and it is now clear that in particular, the letter sent to planning authorities by the

Chief Planner at the Department of Communities and Local Government dated 26th July 2010 and other government statements do provide "an indication of the content of the intended new guidance at the time of writing of the (Panel) report" (para 3.104). The weight to be given to this issue is a matter for decision makers. The Mayor believes it should be given very significantly greater weight than the Panel not least because it accords with the Mayor's own judgement on the efficacy (or lack thereof) of top down strategic targets in this area. He is further strengthened in this view by the Government's publication of a consultation document outlining their proposals for policy guidance on "Planning for traveller sites" which outlines an approach similar to that he has proposed (with local planning authorities determining the right level of site provision). The Panel's report provides no reason for their putting aside these clear indications that ministers see provision as a matter most effectively addressed at local authority level, or why this should not be the case in London as in the rest of the country. The Mayor is also concerned that the Panel's recommendation on provision for travelling show people does not appear to take into account its implications for other land use policies, especially those for industrial land (paras 3.143 – 3.144)."

**Mixed and Balanced Communities** are promoted by Policy 3.9 including "A more balanced mix of tenures should be sought in all parts of London, particularly in some neighbourhoods where social renting predominates and there are concentrations of deprivation". Evidence given at the EiP by community representatives against that policy was summarised by the Inspectors in their report as "market housing would expand on to areas of land representing the only publically controlled resource on which needed additional social rented housing could be provided." They recommended deletion of part B of the policy for areas of social rent and deprivation.

**The Mayor has declined to accept the evidence and recommendation. His intention is to "set a priority to address areas where there is a particular need to foster a wider social mix and where there are the most serious concentrations of disadvantage (which a number of research studies have shown generally but not exclusively to be associated with concentrations of social renting)".**

**Definition of Affordable Housing** is in Policy 3.10 and the Inspectors recommended that the definition of intermediate housing in paragraph 3.61 should have reference to shared equity products, other low cost homes for sale and intermediate rent. The Mayor has included a new paragraph 3.63 based on the Government's new Affordable Rent housing product. Also, "As an interim measure the Mayor intends to provide guidance in the Housing SPG on how this new product can be used to implement the policies of this Plan (including Policy 3.12). He also intends to bring forward an early alteration to the Plan's policies on affordable housing to incorporate the new product and address the implications of the new policy direction." He has included consideration of prices and rents for intermediate housing on a local basis, as the Inspectors recommended.

**However, the Mayor has not adopted the Inspectors' proposed wording for the priority for affordable housing to be assisting those most in need.**

**Affordable Housing Targets** - Policy 3.11 - attracted a lot of debate at the EiP with some boroughs criticising the proposed policy change from 50% affordable housing to a figure of 13,200 per annum which equates to a 40% target. The House Builders Federation said they liked the simplicity and familiarity of a percentage target. The Inspectors concluded that the understanding of the target among those charged with applying it would be better than introducing a different target and they recommended including an "aspirational" percentage target in the 'mix' part of the Policy.

**The Mayor has not included a percentage mix target. The Mayor wrote in a long explanation that he "can see no reason why a numerical target should be taken as a cap any more than a percentage one, particularly given the emphasis in the draft policy on the figure being a minimum. The Panel are also being slightly simplistic in implying that a percentage-based target for the "split" of affordable housing somehow implies that it is appropriate for the "mix" aspect as well."**

On '**split**' of affordable housing, the Inspectors commented that the change proposed by the Mayor from 70:30 (social rented:intermediate) to the DRLP figure of 60:40 is not in line with the Strategic Housing Market Assessment, as existing need for social rented homes has escalated by over 30%. Several EiP participants sought an 80:20 split which would also inform Government for funding homes.

The Inspectors pointed out in their report that 60% of 13,200 would represent 8,000 new social rented units which is higher than the 2008/09 figure with a 70:30 split and higher than the long term average. They recommended that a **60:40 split should be specified in the policy**.

The Mayor commented that "This recommendation has been somewhat overtaken by the Government's proposal to change the definition of affordable housing. If the Government proceed with their proposals, this policy will require substantial change. This is likely to be addressed through an early alteration to the Plan." In the meantime, the Mayor agrees that elaborating that intermediate housing includes both rented and "for sale" products is useful and provides a useful recognition of the likely growing importance of intermediate rented housing.

**Negotiating Affordable Housing on Private Residential and Mixed use Schemes** - Policy 3.12 follows the DRLP version with an extra cross reference to guidance for older Londoners and students.

**Affordable Housing Thresholds** - Policy 3.13 - caused EiP debate on threshold abuse that had been made to avoid inclusion of affordable housing. London Forum and others recommended floorspace thresholds as used by several boroughs to avoid such problems. The Mayor did not support that approach and developers cautioned that it could militate against the provision of larger housing units for families.

**Existing Housing** (maintenance and enhancement of condition and quality), Policy 3.14, was found to be satisfactory by the Inspectors despite London Tenants Federation's concerns that existing social rented housing quantities would be reduced on sites. London Councils advised that redevelopment cannot be expected to replicate what was there before. Inward investment can influence split and mix. London Forum sought more cross references in para.3.80 to other policies to be met for design, context sensitivity and quality of public realm in refurbishment, which the Inspectors did not support.

**Coordination of Housing Development and Investment** - Policy 3.15 - was not discussed at the EiP and it is for LDF preparation guidance only, to urge boroughs to achieve the Plan's housing policies.

**Social Infrastructure** is covered by Policy 3.16. The Mayor proposed many suggested changes to the policy and text to meet criticisms of those responding to the DRLP consultation and those participating at the EiP. The Inspectors endorsed the changes and recommended others, now included, on the re-use of redundant social infrastructure and the importance of open space in all its forms. Emphasis was placed on the need to use CIL contributions in a plan-led manner involving communities.

**Healthcare and Social Care Facilities** are covered by Policy 3.17 which the EiP Panel approved.

**Education Facilities** - Policy 3.18 was recommended in the EiP report to be modified to respond to the Government's support for creation of free schools. The policy now strongly supports new schools. The Mayor has added a policy section that "proposals for new schools should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or obligations."

*NOTE - London Forum is concerned that in finding buildings for proposed free schools boroughs may take space from voluntary groups or other community assets.*

**Sports Facilities** - Policy 3.19 was accepted by the EiP Panel together with suggested changes.

## LONDON'S ECONOMY

DRLP Chapter 4 had attracted limited representations. The debate at the EiP led to the Mayor suggesting changes to Policy 4.1 for **Developing London's Economy**, endorsed by the Panel, to meet concerns of the London Forum about location of new development. Developers were reported as being "hostile" to the need to secure more accommodation for Small and Medium Enterprises, with concern about planning agreements for mixed use schemes. The Panel accepted arguments of the North London boroughs and London Forum for SME facilities but thought paragraph 4.7 covered it.

**Offices** - Policy 4.2 - London Forum proposed a reduction in future projections for floor space per worker (12 sq.m) but that was opposed by City of London Corporation. The Inspectors responded to calls by developers for a steer on quantum of office development, proposing it should be determined by local public transport accessibility and local environmental and townscape considerations, consistent with localism objectives. Office employment growth to 2031 was reduced from 325,000 (DRLP) to 303,000. Outer London's office employment over the same period is down to 59,000 (DRLP: 70,000).

**Mixed Use Development and Offices** is covered by Policy 4.3. Developers at the EiP said there was too much emphasis on securing housing in CAZ which inhibits redevelopment, particularly where there are heritage constraints. The Inspectors concluded that the policy caveats provide sufficient flexibility and they supported the general policy requirement of mixed use development of office accommodation.

#### **Managing Industrial Land and Premises** - Policy 4.4

The EiP report recorded that double the benchmark rate of release of industrial land has happened over the years 2006-10 and that some boroughs did not seem to realise the policy places the onus on them to define the boundaries of Strategic Industrial Locations and safeguard their areas. The Panel endorsed the Mayor's changes for adding stress on the need to provide for SMEs and new and emerging industries. The Inspectors were concerned the Industrial Capacity SPG is dated March 2008 and not linked to the new London Plan for Indicative Industrial Land Release Benchmarks. They recommended that SPG's Table 1 should be included in the London Plan and that an Alteration may be required following the 2011/12 review of supply and demand.

**The Mayor has not included the table of SIL land release benchmarks. He wrote that SPG "gives the scope for giving guidance at greater length and in more detail than would be possible in the body of the Plan." Also "detailed sub-regional benchmarks with five year phasing represents a level of detail inappropriate for the London Plan."**

*Managing Industrial Land and Premises is one of several subjects covered in more than one place in the London Plan due to the plan's structure. That makes it even more important for borough development control case offices to consider the plan in its entirety which means, for this topic, relating the 'Economic' strategic aims of Policy 4.4 with the 'Place' ones of Policy 2.17.*

**Tourism, Arts and Creative Industries** - Policy 4.5 raised many responses and the Mayor suggested several alterations to address them which the Inspectors endorsed. The five pages of EiP report of arguments about hotel provision do not add much to the policy but an amendment has been included in the policy to meet London Forum's requirement that visitor accommodation in opportunity areas has to be in suitable locations. The Mayor has added policy directions in 4.5Ac on the location of visitor accommodation related to major visitor attractions.

The Inspectors recommended an additional policy section for visitor accommodation related to major visitor attractions in support of the Olympic legacy. **The Mayor has not included it** but Olympic Park and the Lee Valley Regional Park are now in Map 4.2 for strategic cultural areas.

**Support for and Enhancement of Arts, Culture, Sport and Entertainment Provision** has sport added in Policy 4.6 to the other facilities covered in the DRLP version, as the Panel's report proposed.

**An Inspectors' recommendation that development should "not result in a net loss of cultural infrastructure in areas of defined need" has not been incorporated by the Mayor who responded that "The protection of specific types of cultural facility is a local issue and should be determined through boroughs' LDF process taking account of local circumstances".**

*The Plan's guidance on management of the night time economy from Policy 4.6 section C f and associated text should be used by community representatives to seek action by all boroughs.*

**Retail and Town Centre Development** are covered by Policies 4.7 and 4.8.

London Forum at the EiP defended Policy 4.7 against suggestions by businesses, developers and supermarkets that out-of-centre retail development is not endorsed by the policy as a final option, as in PPS4. London Forum sought also more control of greater retail provision in Opportunity Areas than could be justified by their transport facilities and other accessibility. **The Inspectors made no recommendation on those topics** and proposed no changes beyond those the Mayor had submitted which included recognition of the value of markets to deprived communities.

*This is another subject with policies in two parts of the London Plan and the economic policies in this chapter have to be read together with the spatial and classification ones in Policy 2.15.*

**Small Shops** Policy 4.9 attracted extended debate and controversy at the EiP and there were claims that the policy for development having to provide or support affordable shop units would distort the market and result in unfair competitive advantage for some retailers in subsidised units, contrary to EU requirements on State Aid. Boroughs wanted developer contributions to be applied towards general town centre improvements. Changes now include that. London Forum proposed amendments which included a reduction in the policy threshold to 1,000m<sup>2</sup>. London Assembly wanted the policy to apply to new retail or mixed use developments below 2,500m<sup>2</sup>. They sought policy leadership for borough

policies to protect retail uses in neighbourhood parades to link with Lifetime Neighbourhoods Policy 7.1. Just Space Network defended the policy on grounds of sustainability, tackling inequality and providing access to employment. The Inspectors reported that during their site visits they saw no general shortage of small affordable shop units and saw many local centres and parades where there seems to be insufficient demand to sustain anything but the most fringe retail services and, in some cases, there are extensive vacancies and changes of use away from retail. They considered the policy is in conflict with Circular 05/05 on the use of obligations. However, suggested changes by the Mayor were endorsed for "imposing conditions or seeking contributions through planning obligations where appropriate, feasible and viable, to provide or support affordable shop units suitable for small or independent retailers and service outlets and/or to strengthen and promote the retail offer, attractiveness and competitiveness of centres." The Panel's further recommendations were incorporated, including use of a lower threshold than 2,500 sq.m by boroughs for district and local centres.

**New and Emerging Economic Sectors** Policy 4.10 attracted many suggested changes by the Just Space Network and the London Assembly but the Mayor and the Inspectors considered many of the points are for the Economic Development Strategy or are covered elsewhere in the London Plan. However, additional references to Higher Educational Institutions have been added to the policy. In its final form the policy applies to planning decisions and LDF preparation, as with most other Plan policies.

The Inspectors recommended clarifying that the workspaces to be made available should be sufficient and appropriate to the needs of emerging sectors and multi-disciplinary collaboration in research and innovation. The Mayor has added words similar to those into the policy section A c.

Policies 4.11 (Encouraging a Connected Economy) and 4.12 (Improving Opportunities for All) were endorsed. The latter is important for the Mayor's strategy to "co-ordinate the range of national and local initiatives necessary to improve employment opportunities for Londoners, to remove barriers to employment and progression and to tackle low participation in the labour market." Also "provide a more highly skilled workforce for organisations across the city".

## LONDON'S RESPONSE TO CLIMATE CHANGE

The Inspectors endorsed the Mayor's policies towards zero carbon development but only for developments of a strategic scale. The policies for decentralised energy, renewables, risk management and provision for waste and aggregates and suggested changes were endorsed following the EiP.

London Forum's proposal to bring together for Policy 5.1 for **Climate Change Mitigation** the twenty actions to tackle climate change that are mentioned in various places in the DRLP was not accepted, as the Inspectors considered that they do not all have strategic or spatial dimensions. Campaign for Better Transport sought a policy commitment to traffic reduction to support CO<sub>2</sub> targets but that did not have a suitable response from the Panel.

The Inspectors made four recommendations for **Minimising Carbon Dioxide Emissions** to Policy 5.2 and supporting text to cover some of the proposals made by EiP participants and most are included in the London Plan. Policy 5.2 now requires strict application by boroughs of emissions considerations for planning decisions and there are detailed requirements for what an energy assessment with a planning application is expected to cover. The Inspectors wanted an addition to policy that boroughs and developers should strive to achieve the steeper trajectories that the targets represent but **the Mayor declined to include that**. Instead, he has included targets for residential buildings and non-domestic ones at various dates, with zero carbon from 2016 and 2019 respectively.

**Sustainable design and Construction** is a topic covered by Policy 5.3 It attracted a lot of criticism from the development sector at the EiP for being too detailed and demanding. They proposed there should be different standards in various parts of a borough. The EiP Panel rejected that and upheld the Mayor's view that sustainable design and construction is a matter of strategic importance.

**Retrofitting** Policy 5.4 led to discussion at the EiP about the Mayor's RENEW programme which should identify where action is likely to be concentrated. The Inspectors expressed the view that such work should be used in areas of regeneration to avoid fuel poverty. They decided that guidance to householders should be left to English Heritage, LDF content and community groups. The latter are not equipped to issue such advice and the GLA will have to make clear how the retrofitting programme for a huge part of London's existing buildings is to be achieved.

**This is an urgent task.**

**Decentralised Energy** is covered by London Plan Policies 5.5 and 5.6.

The Inspectors recorded that London is near the bottom of the league for installing CHP/CCHP systems. In their report they praise organisations such as London First and the LDA for taking the initiative since the EiP. Developers warned of the cost to themselves and to householders of local energy systems. However, national guidance indicates the move to zero carbon buildings post 2013 will reduce demand of local authorities for decentralised energy. Developers gave examples to the EiP of heating requirement so low that they and users were penalised for the cost of £450 pa/unit. The Inspectors recommended changes to recognise the cost to the developer and end-user in Policy 5.6 and associated text for **Decentralised Energy in Development Proposals**. The Mayor has not modified the policy but he has added the following to associated paragraph 5.38. "In this area of policy, as all others, feasibility includes questions of financial and technical viability. There are recognised ways of identifying and assessing these. These will ensure that requirements are not imposed on the development that could lead to uneconomic costs on occupiers."

**Renewable Energy** Policy 5.7 attracted comments from House Builders that the policy should be left to boroughs. Friends of the Earth criticised the Mayor's target of 5% of energy generation from renewable resources by 2020 in DRLP paragraph 5.40. The Government's target is 15% by 2020. **The Mayor has since removed the target in the Plan** but suggests there will be alterations made to implement his Climate Change Mitigation Strategy. The Plan proposes in paragraph 5.42 that "all major development proposals will seek to reduce carbon dioxide emissions by at least 20 per cent through the use of on-site renewable energy generation wherever feasible."

**Innovative Energy Technologies** Policy 5.8 attracted comments that it proposed specific methods, rather than suggesting them as part of other innovations. The Mayor has modified the policy in the DRLP by giving just examples, as the Inspectors recommended.

**Climate change adaptation** is covered by Policies 5.9 **Overheating and Cooling**, 5.10 **Urban Greening** and 5.11 **Green Roofs and Development Site Environs** addressing London's heat island. The policies were approved but the Environment Agency mentioned potential impact on water resources of irrigating green roofs and suggested rainwater recycling and sustainable drainage systems.

**Flooding and water issues** are addressed by Policies 5.12 **Flood Risk Management**, 5.13 **Sustainable Drainage**, 5.14 **Water Quality and Wastewater Infrastructure** and 5.15 **Water Use and Supplies**. The Inspectors endorsed strongly section E of Policy 5.12 for boroughs to identify, protect and create needed flood plains. They considered the requirements for sustainable drainage systems in connection with development to be both practicable and reasonable. A definition of 'waste water infrastructure' in the Glossary was recommended but **the Mayor has not included it in the Plan**. Paragraph 5.61 states that details are contained in the Mayor's Water Strategy. The new Plan states in paragraph 559 that "...there are continuing programmes to deal with problems of sewer flooding in some areas of London; these need to be completed." That provides support by the Mayor to Thames Water's Counters Creek flooding alleviation scheme, for example, which communities in Fulham and Chelsea wish to see completed with the Thames Tunnel project.

*Capture of rainwater for re-use and to prevent it entering the sewer system and overloading it has not been adequately explored in strategy by DEFRA, Thames Water and the Mayor.*

**Waste issues** are covered by Policies 5.16 to 5.19. The Inspectors made a recommendation which the Mayor has included in Policy 5.19B as "development proposals that would result in the loss of existing sites for the treatment and/or disposal of hazardous waste should not be permitted unless compensatory site provision has been secured".

The Panel recommended for Policy 5.22, **Hazardous Substances and Installations**, proposals by London Forum, that the Mayor will "ensure that hazardous substances, installations and materials are managed in ways that limit risks to London's people and environment." The Mayor has included it.

**Aggregates** - Policy 5.20 - led to a long examination session and the Panel's report on the discussion for this policy covers nine pages. The considerable text changes the Mayor offered were endorsed in the EiP Panels report. The Inspectors reported that "In the light of the Mayor's evidence and that from related bodies, **we are satisfied that the policies of the DRLP rightly safeguard wharves and railheads, existing and potential**, amongst other reasons, to help secure sufficient aggregate supplies for London and the most sustainable forms of transport for such supplies. From what we heard the importance of wharves could increase in future not just to handle marine dredged aggregates but

because in the longer term crushed hard rock might have to be brought from more distant sources in larger amounts." Also, "English Heritage supported the additional criterion introduced by the Mayor's changes to Policy 5.20F on reducing the environmental impact of aggregates by appropriate restoration and aftercare, an addition also supported by the London Forum."

## LONDON'S TRANSPORT

The Inspectors endorsed the transport strategy but recommended reinstatement of a hierarchy of road use and insertion of emphasis on the need for access to public transport for those with disabilities.

For the **Strategic Approach to Integrating Transport and Development**, Policy 6.1, the Inspectors considered a road user hierarchy, as recommended by the Department for Transport. **The Mayor pointed out that under section 41 of the Greater London Authority Act 1999 he is required only to have regard to national policy and is not required to follow it in every respect should there be a particular reason why a different approach is justified in Greater London.** However, he has added a new paragraph B to Policy 6.1 relating to "different roles of roads for neighbourhoods and road users".

The Mayor has added to Policy 6.1, as the Inspectors recommended, a section for safe and easy use of the public transport network, including step-free access where this is appropriate and practicable.

There is an emphasis on close co-ordination of land use and transport planning to accord with PPG13 but Policy 6.1 for the strategic approach to integrating transport and development uses the word 'encourage' for achieving that sustainability, which is not sufficiently positive. London Forum is concerned that many major development areas lack suitable transport to support aspirations for their quantities of jobs and homes. The Inspectors wrote in their paragraph 2.107 that the subject will have to be left to the boroughs. Policy 6.3 requires that the impacts of development on transport capacity and the transport network should be "fully assessed".

**The policy states in planning decisions part 'B' that boroughs should phase or refuse development if the existing transport capacity is insufficient.**

Policies 6.4 and 6.5 cover **Enhancing London's Transport** and **Funding Crossrail**.

Proposals for additional river crossings in East London attracted criticism from Friends of the Earth and Campaign for Better Transport but support by local authorities.

**Aviation** Policy 6.6 has an addition in paragraph 6.28, proposed by the Inspectors, to support the Government's opposition to changes in use of Heathrow that could increase noise problems.

***BAA said at the EiP that only 2% of air transport movements at Heathrow are generated by domestic air services and services to near continental destinations that might be diverted to rail by HS2. That seems to weaken part of the argument for the new rail line.***

**Better Streets and Surface Transport** is covered by Policy 6.7 which the Inspectors accepted after a change was submitted by the Mayor for a five yearly review of the bus network. A proposal in the Panel report for retaining or creating new interchanges has been added by the Mayor to the policy.

**Cycling and Walking** strategies and guidance in Policies 6.9 and 6.10 were accepted by the Inspectors who concluded that points raised by EiP participants should be handled by boroughs. Requests for a policy on motorcycles were rejected by the Mayor and not pursued.

**20 mph speed limits** were recommended to be covered by policy by London Forum and others at the EiP but the Inspectors decided that is a matter for boroughs to decide upon and to plan, consistent with localism.

Policy 6.11 for **Smoothing Traffic Flow and Tackling Congestion** was debated extensively during the examination, together with performance indicators to measure effectiveness of policies. The Inspectors recommended replacing the Mayor's suggested change that "If these measures prove unsuccessful the principle of road-user charging as a demand management tool, may need to be examined." by the words "The Mayor will consider introducing tailored forms of road-user charging where appropriate." and they mentioned the possibility of tackling traffic into Heathrow airport.

**The Mayor has decided not to make that change. He has added words to paragraph 6.39, that have not been consulted upon, that he does not envisage examining road user charging whilst he is in office.**

The Mayor accepted the Inspectors' recommendation to insert a Key Performance Indicator 14 to have **zero car traffic growth for London as a whole.**

He was recommended to revise KPI 13 for the targets on **traffic growth in sub-areas of London,** as they were not consistent with the Mayor's Transport Strategy.

**The Mayor has not done that in the published Plan. He has changed the KPI 13 measure so it contains no such targets and instead it reads "Use of public transport per head grows faster than use of the private car per head."**

**Road Network Capacity** Policy 6.12 attracted a lot of discussion at the EiP about an East London River Crossing. The 2008 version of the London Plan had Policy 3C.16 "not to increase the net traffic capacity of the corridor unless essential to regeneration" and that led the inquiry Inspector considering the Thames Gateway Bridge to find a clear conflict with the development plan. Transport, environment and community organisations and local authorities sought the criterion's inclusion in the Plan but the Inspectors understood the difficulty it would present for any proposal for a river crossing enhancement or a new one. They recommended an addition to Policy 6.12 of "avoidance of net additional traffic in the general locality or localities affected by the proposal" (for a new road).

**The Mayor has included in the policy the need to take into account "the extent of any additional traffic and any effects it may have on the locality" He wrote he "does not intend to implement the Thames Gateway Bridge".**

Para. 6.41 states that the Mayor is supportive of additional road-based river crossings in east London.

**Parking** Policy 6.13 has a new paragraph suggested by the Mayor and approved by the EiP Panel to support expansion in London of car clubs. Each car club vehicle typically results in eight privately owned vehicles being sold and club members reducing their annual car mileage by more than 25 per cent.

*Some boroughs have not released additional road space for car club vehicles for some time and communities will need to check on the intentions of their local authority.*

## LONDON'S LIVING PLACES AND SPACES

**Building London's Neighbourhoods and Communities** Policy 7.1 was approved by the Inspectors but they recorded the wish of community representatives at the EiP for a matrix of type and accessibility of local infrastructure. They made no recommendation on that.

In response to representations, the Mayor's changes have been approved in Policy 7.1 to improve people's access to social and community infrastructure (including green spaces), the Blue Ribbon Network, local shops, employment opportunities, as well as commercial services and public transport.

In paragraph 7.6 text has been added: "ensuring communities are engaged in shaping and delivering their local strategies; encouraging a sense of belonging of their neighbourhood." Also, "Engagement in cross borough and / or sub regional working is encouraged, where appropriate (See Policy 3.17)."

**An Inclusive Environment** Policy 7.2 requires full consultation with user groups and for development proposals to demonstrate that the principles of inclusive design, including the specific needs of older and disabled people, have been integrated into each proposed development. London Forum welcomes the addition to the policy text that applicants should demonstrate how they have engaged with users (including for example organisations of disabled and older people) plus the sources of advice on the sources of CABE and GLA guidance on design which is carried forward into Policy 7.4 on **Local Character** for high quality design and the requirement for development to be human in scale.

Policy 7.3 for **Designing out Crime** was supported by the EiP Panel of Inspectors and Policy 7.4 for **Local Character** has the addition of "Schemes should be designed with on-going management and future maintenance costs of the particular safety and security measures proposed in mind".

**Public Realm** Policy 7.5 has benefited from the EiP discussions by an additional section in paragraph 7.17 that "The public realm should be seen as a series of connected spaces that help to define the character of a place. Places should be distinctive, attractive, vital and of the highest quality, allowing people to meet, congregate and socialise, as well as providing opportunity for quiet enjoyment." The Inspectors recorded that "We consider that there is a particular role for strategic policy guidance in London, to signal the national importance of London's environmental quality and to ensure that this is fully recognised by the Boroughs in their detailed LDF work and in individual development management decisions."

**Architecture** is covered by Policy 7.6 and a section has been added to it "optimise the potential of sites" on the recommendation of the EiP Inspectors but they advise that a particular strategic imperative applies to housing. *This is a useful London Plan policy for communities seeking to limit harm to surroundings that can be caused by architecture that is not context sensitive or of high quality.*

**Location of Tall and Large Buildings** Policy 7.7 was challenged by the London Forum for its policy that "Tall and large buildings should be part of a plan-led approach to changing or developing an area". The Inspectors recorded that "We do .... concur with London Forum that .... the approach should not be to identify locations suitable for tall buildings, but whether there are such locations. The former would imply potentially inappropriate strategic imposition, while the latter would more appropriately respond to localism."

London Forum supports the strategic statement that "Tall and large buildings should not have an unacceptably harmful impact on their surroundings." and the new section 'F' of the policy which states that "Boroughs should work with the Mayor to consider which areas are appropriate, sensitive or inappropriate for tall and large buildings and identify them in their Local Development Frameworks."

***That gives communities the opportunity to influence the location of tall buildings.***

**Heritage Assets and Archeology** covered by Policy 7.8 has been enhanced by the Panel's recommendations to emphasise the identification of heritage assets so that "the desirability of sustaining and enhancing their significance and of utilising their positive role in place-shaping can be taken into account". Also the additional words: "Development that affects the setting of near heritage listed buildings or conservation areas should be of the highest quality of architecture and design, public realm, and respond positively to local context and character outlined in the policies above."

**Heritage-led Regeneration** has been improved by an Inspector's addition to its Policy 7.9B that "The significance of heritage assets should be assessed when development is proposed and schemes designed so that their significance is recognised both in their own right and as catalysts for regeneration. Wherever possible heritage assets (including buildings at risk) should be repaired, restored and put to a suitable and viable use that is consistent with their conservation and the establishment and maintenance of sustainable communities and economic vitality." That is to be in LDF content.

**World Heritage Sites** are covered by Policy 7.10 with strong strategic protection for them.

**View Management** Policies 7.11/7.12 were endorsed by the Inspectors with the Mayor's changes. The Inspectors reported that "We would be disappointed if the proposed view management SPG does not include measures designed to facilitate prior objective assessment of the impact of new buildings (such as computer generated visual imaging)."

**Security** Policy 7.13 was approved by the Panel Inspectors.

**Improving Air Quality** led to much debate at the EiP on Policy 7.14 and the associated Mayor's Air Quality Strategy, as participants were concerned about the number of schools and homes close to polluted roads. The Inspectors were not satisfied with the DRLP statement that the Mayor is "working towards meeting" EU limits for particulates PM<sub>10</sub> and for NO<sub>2</sub> by specified dates. They recommended instead the words "...the Mayor is committed to implementing policies formulated to meet..."

**The Mayor did not accept the recommendation because "the suggested wording both overstates the extent of his responsibilities, and downplays the importance of those of other agencies."**

The EiP Panel heard evidence from the Environmental Audit Committee indicating that 20-30% traffic reduction would be needed in order to meet the requisite air quality standards. The Inspectors reported that "we find some substance in objector concerns that the significance of traffic (including for LDF work), the relevance of parking policy and the importance of reducing the need to travel given growing concerns about PM<sub>10</sub> air pollution from brake dust and tyre wear (which apply equally to electric vehicles) does not find commensurate expression in either Policy 7.14 or its supporting text."

And: "The complexity of operating air quality control through the development management process should also not be underestimated. In this connection, we welcome the Mayor's intentions ... to develop an assessment checklist and ... to produce SPG to guide Boroughs in determining applications and identifying appropriate off-setting and mitigation measures."

**Reducing Noise and Enhancing Soundscapes** (Policy 7.15) was not selected by the Panel for examination but they made recommendations for boroughs to implement 'Quiet Areas'. The Mayor rejected those changes on the basis that central government is understood not yet to have finally decided how 'Quiet Areas' will be defined or how responsibilities will be discharged.

**Green Belt** is covered in Policy 7.16 and **Metropolitan Open Land** in Policy 7.17.

Despite arguments by the Consortium of London Developers, the Panel decided that they did not find "exceptional circumstances" sufficient from a strategic perspective to justify stimulating a general review of the extent of the Green Belt for housing land supply purposes nor, it follows, of Metropolitan Open Land. They supported the protective strategies of Policies 7.16 and 7.17.

The Inspectors decided not to introduce commentary about views into, within and out of MOL (including the Blue Ribbon Network) as sought by London Forum, because such views are not a criterion for designation of MOL and are suitably covered by paragraph 3.15 of PPG2.

**Protecting Local Open Space and Addressing Local Deficiency** Policy 7.18 had no strategic section in the DRLP version and the Inspectors made recommendation for a strategic statement which the Mayor has included, proposed by ELF/Thamesbank: "The Mayor supports the creation of new open space in London to ensure satisfactory levels of local provision to address areas of deficiency." The Mayor added a further paragraph 7.58: "The value of open space not designated is considered as a material consideration that needs to be taken into account when development control decisions are made."

**Biodiversity and Access to Nature**, Policy 7.19, and **Geological Conservation**, Policy 7.20, were discussed at some length at the EiP and the Mayor offered many suggested changes to respond to criticisms by EiP participants which the Panel approved. The Plan now has greater emphasis on the protection, promotion enhancement, creation and promotion of biodiversity and of green corridors including those along canals and railways as well as on the River Thames and its tributaries that allow essential interconnection between London wildlife sites. Thamesbank sought protection from development of river banks with solid embankments but the Inspectors thought the Blue Ribbon Network policies would give some control.

**Trees and Woodlands** Policy 7.21 was approved. An SPG is to be produced on Tree Strategies to guide each borough's production of a Tree Strategy covering the audit, protection, planting and management of trees and woodland. This should be linked to the borough's Open Space Strategy. There is support in the policy for designing developments to accommodate new trees that develop larger canopies.

**Open Land Uses** - Policies 7.22 and 7.23 - were approved by the EiP Inspectors. They supported the need to improve London's food security. This involves protecting land that is suitable for growing food in the face of competing pressures from fuel crops and the effects of climate change including flood and drought. The main focus of the policy is on commercial food production but the intention is also to promote community gardens and allotments.

**Burial Spaces**, Policy 7.23, led to concerns about the lack of burial space in 18 boroughs, with five of them having none. The Inspectors endorsed the Mayor's view that the policy should be regarded only as work in progress. Either a plan-led or criteria-based approach might be appropriate, and it would not be until the outcome of a study commissioned from York University is known that further progress on policy formulation could take place in consultation with providers, the Boroughs and local people.

**Waterways** (the Blue Ribbon Network) is the subject of the final set of policies in the London Plan. Several policies in the 2008 version of the London Plan had been removed and EiP participants felt that London's rivers and canals had been reduced in importance for their open space, biodiversity, leisure, freight and transport value. Fortunately, additional policies in other parts of the London Plan had been proposed by the Mayor during the EiP in response to criticisms for the recognition of waterways as a major London asset of cross-cutting importance and of green infrastructure and heritage value.

Policies now protect facilities on waterways for boating, passenger, tourist and freight purposes. Freight is to be the only use of safeguarded wharves.

The Inspectors did not support requests by London Forum to restore to the Plan the 'Blue Ribbon Network Principles' in paragraph 4.140 of the 2008 version, nor to restore into strategic policy, as in the 2008 London Plan, the words "The starting point for consideration of development and use of the Blue Ribbon Network and land alongside it must be the water. The water is the unique aspect and

consideration must initially be given as to how it can be used, maintained and improved.” However, those words have been placed in paragraph 7.71 as supporting text.

ELF and Thamesbank criticised failure of some boroughs to complete identification and appraisal of their Thames Policy Area and inclusion of related actions and strategies within their LDFs, as required by London Plan policy. The Inspectors considered there was lack of clarity on process and terminology and they recommended changes which the Mayor incorporated into London Plan paragraphs 7.91 to 7.95 which require boroughs to formulate waterways policies and strategies as DPD policies or SPD. The EiP Panel recorded a particular gap of strategy coverage between Chelsea and Tower Bridge and were told that the boroughs were working on this. The Inspectors emphasised in their report’s paragraphs 7.116 to 7.122 the way in which boroughs should produce detailed LDF policies for waterways, their usage and enhancement and the development of land alongside them.

*Community and amenity organisations with interest in waterways should collaborate with boroughs in the production of the required policies and strategies which are to be in general conformity with the London Plan’s Blue Ribbon Network policies.*

There was a long discussion at the DRLP examination on safeguarded wharves, many of which developers wanted to be released for development. The PLA gave evidence that there were expressions of interest from cargo handlers in response to recent wharf marketing exercises, adding that there is a number of inactive wharves currently held by property developers despite shipping operator interest in their use. It referred also to the new and increasing opportunities for water cargo, especially in the fields of renewable energy, biomass and containers. While acknowledging that there may be some scope for consolidation and that policy for safeguarding wharves provided protection, it was pointed out there was no policy to bring wharves back into use.

Just Space Network pressed firmly for promoting the role of canals in local distribution of goods and transport of materials (where time was not of the essence) in preference to road haulage.

The latest review of safeguarded wharves is to be completed by the end of 2011. The Inspectors wrote that “We would expect the review to provide sufficient information for a map to be produced if required, whether by the Mayor or others, showing safeguarded wharves relative to railheads, other transport infrastructure and waste and aggregate sites, as suggested by London Forum.”

## Chapter 8 of the London Plan covers **Implementation, Monitoring and Review**

The Inspectors wrote:

- We endorse the approach of publishing a separate Implementation Plan that can be updated alongside the Annual Monitoring Report process.
- We endorse the approach to Planning Obligations and the Community Infrastructure Levy as consistent with Government guidance.
- We endorse the Key Performance Indicators including the suggested changes.

Several changes were sought by participants at the EiP to the Plan’s Key Performance Indicators but few were supported by the Inspectors.

Meetings commenced in July 2011 of a steering group for the Implementation Plan and the first meeting covered future London’s infrastructure requirements including water and waste water.