



London Forum *Insights*

Issue 8, Feb 2022

Government's flagship programme leaves questions about the Planning System unanswered

The Government's Levelling-up White Paper was published on 2nd February, though Michael Gove struggled for "headspace" amid the Party-gate clamour. The 400-page document opens with a lengthy account of how we got to where we are now, before introducing 12 "missions" that constitute the heart of the levelling-up agenda. Little or no new money is promised; instead, there are extensive lists of all the things the Government is already doing to support levelling-up.

This will lead Forum members to wonder whether levelling-up in the regions is to be achieved at the cost of levelling down in London. In at least one respect it is; the 80:20 rule which directed 80% of Government money for affordable housing to areas (mainly in the South-East) where housing affordability is worst is to be scrapped. A sign of things to come?

And what of the 2020 Planning White Paper's controversial reforms? Planning is not centre-stage in the levelling-up agenda, but the following quotes will do something to set members' minds at rest:

"Local plans will be made simpler and shorter, and improved data ... will ensure that they are transparent, understandable and take into account the environment that will be developed."

"the UK Government is developing models for a new infrastructure levy which will enable local authorities to capture value from development more efficiently"

"The UK Government will enhance compulsory purchase powers to support town centre regeneration"

"Councils and communities will create new local design codes to shape streets as residents wish.....and look to pilot greater empowerment of communities to shape regeneration and development plans."

"The ability to have a meaningful say on individual planning applications will be retained and improved through new digital technologies."

A more comprehensive view of what is intended for the planning system may accompany the long-overdue report on the 44,000 responses to the Planning White Paper consultation.

Comments made by London Forum's President, Ben Derbyshire, and others on the Levelling-Up White Paper are linked in a News/Update item [here](#).

This bumper issue of *Insights* includes a briefing paper from Forum trustee Clare Birks on the levelling up challenge in London, and updates on the new Permitted Development Rights introduced by the Government in 2020 and 2021. And less than a year after Mayor Khan's London Plan came into force, we report on London Forum's response to a consultation on how the next London Plan should differ from the current one.

Borough-wide Alliances of Community Organisations Helen Warner reports on January's Open Meeting

The aim of this well-attended meeting was to share experience from the borough-wide alliances that exist. What are the models and what can we learn that may be useful to apply elsewhere? Three members gave presentations about their organisations.

Gordon Massey – Federation of Residents Associations in Barnet (FORAB)

Established 50 years! 17 affiliated associations, the majority in the more affluent east of the borough. Barnet has around 20 'town centres', and residents associations (RAs) all have largely the same issues. FORAB has a clearly articulated purpose, and a committee that meets 3 or 4 times a year. FORAB invites speakers, such as key officers from the Borough. The Council reports that they like to liaise with the group as they are "well informed". Generally, they avoid issues which relate only to an individual RA. They make collective representations on the London Plan and the Barnet Local Plan, and share lessons learnt from successful or unsuccessful planning objections.

Kay Garmeson – Ealing Matters (EM)

This is an informal association without a Chair. It was formed in 2018 following a survey which highlighted local groups' dissatisfaction with the Borough Council. EM provides a channel to publicise new Government, GLA and LB Ealing policies and proposals likely to affect local people. There are 70+ member groups including some single issue campaigning members. EM is run by a core working group of 3 with differing high-level expertise. The key focus is the outdated Local Plan.

Communication and information sharing is mainly via their Facebook page which has around 2,500 followers. They also issue an email newsletter intermittently and occasionally run borough-wide surveys of residents' views. The website (<https://ealingmatters.org.uk/>) brings together all the various planning policy, research and advice documentation for the Borough, and has been noted as a model of good practice.

Eileen Conn – Southwark Planning Network (SPN)

Established 12 years ago, the Network came together over the then Borough Plan. This Inner London Borough has a large number of active community groups. Before COVID, the network ran regular workshops for the membership around planning and regeneration matters. It moved to Zoom with the pandemic, with the Southwark Local Plan as the focus. It had some success impacting on regeneration and climate emergency policy. The Network works closely with Council tenants' groups through key umbrella organisations and also with the Southwark Law Centre. In 2020 they were awarded £5,000 for administrative support, and formalised SPN with an appropriate organisational structure. SPN has been instrumental in getting the Council to scale back demolition plans in Peckham town centre.

Three other organisations also spoke about alliances in their area, Richard Butt from the Greenwich Planning Alliance (GPA), Christine Diwell from G15+

Residents Association Forum Hounslow and Sue Ball from the South Westminster group. Alan Piper, Brixton Society noted that there had been such an association in Lambeth which fell apart when they lost key personnel. A more comprehensive account of the meeting and list of participating societies is at [link](#)

The comments in the Chat window were very positive, as were emails received after the event. The three speakers impressed us all by how much they had achieved, in particular their access to the highest levels in their respective local authorities. On the other hand, there was concern about the resources and commitment needed to get there, given that many societies have problems coping with their existing workload.

So how can we and should we move forward? The London Forum team and our speakers, are all willing to provide advice on a one-to-one basis, but the drive must clearly come from you, our members. It may help if the initiative is focussed around a specific goal in the borough, such as saving Peckham town centre or getting Ealing's local plan updated. One theme that could galvanise support in many boroughs is **getting your council to commit seriously to early engagement** on major developments, as Westminster City Council appears to be doing – see [here](#). Please contact Paul Thornton at london_forum@icloud.com if this is something you would like to pursue.

Save The Date - 28th February at 11 am Open Meeting on Low Traffic Neighbourhoods

Low Traffic Neighbourhoods were introduced as an emergency measure, funded as part of the government response to Covid. No time was allowed for consultation. Now the consultation is happening on schemes which Councils wish to make permanent - but is the data from a prolonged period of pandemic reliable? Can our Societies secure improvements?

On **Monday February 28th at 11 am** we will hear from John Stewart, founder of HACAN Clearskies and former Travelwatch Board member, and a critic of some aspects of LTNs; and Cllr. Julian Bell, current TfL Board member and former leader of Ealing until controversy arose from...LTNs.

More information on this event and joining details shortly.

Permitted Development 1: are our High Streets going Residential?

Civic Voice's Sarah James asks for your help to find out.

Civic Voice, the national body for civic societies, is undertaking research into the impact of the recent relaxation of permitted development rights (PDR) allowing the conversion of properties in high street uses (shops, cafes, banks etc - called Class E) to residential use (Class C3). However, we need the help of civic societies to do this. Here's how to take part:

1. Sign up to the campaign by emailing info@civicvoice.org.uk
2. Check your local authority's planning database and/or scan the weekly planning lists for 'Class E to C3 prior approval applications'. We need data from 1st August 2021 (when the new rights came into effect).
3. Input the data into Civic Voice's open access [spreadsheet](#)



The successive changes and widening of PDR and prior approval in recent years has been of real concern to the civic movement. [Civic Voice objected to the Government's proposal](#) to bring in the new rights because we were concerned that it could be harmful to the diversity of high streets, town and city centres, create poor quality homes and living environments and, lead to loss of historic character in Conservation Areas.

Now is the time to assess the impact of the new rights, to see how they are working in practice across the country. We want to encourage more housing in town centres, but we must ensure that the right checks and balances are in place to mitigate against the unintended consequences. This research is crucial for Civic Voice to be able to lobby on your behalf, feeding back the reality of this policy directly to Government.

Note by Paul Thornton – “Prior Approval Shops to Residential” is a separate category on Islington's Planning Applications Database. I was able to cut and

paste the 12 applications determined since August 2021 (all refused!!) into the Civic Voice spreadsheet in about 5 minutes.

Permitted Development 2 - Few Prior Approvals granted for Upwards Extensions in Barnet, writes Peter Pickering

In August 2020 permitted development rules were amended to allow two storeys to be added to residential buildings constructed between July 1948 and October 2018. Planning permission is not required, but there are several restrictions, and prior approval from the local planning authority has to be obtained; the authority can withhold this approval on grounds including external appearance and impact on neighbours.

The Government claimed that this would provide more accommodation without red tape, and enable homes to expand as families increased. In Barnet owners of blocks of flats sought enthusiastically to take advantage of the new freedoms, and there have been many applications to add one or two storeys to a block, and to add a storey to a private house. But developers soon found that the freedom was something of an illusion; objections to applications for prior approval mounted; by June 2021 out of 44 applications 32 had been refused or withdrawn, six approved and the rest still pending. Some early ones went to a Planning Committee but since then most have been dealt with under officers' delegated powers; an example of the grounds for refusal is "the external appearance of the building, by reason of its height, massing and scale would be unduly obtrusive, inconsistent with the prevailing height and form of neighbouring properties and the overall street scene, thereby relating poorly to local context and so failing to add to the overall quality of the area, be visually attractive, or sympathetic to local character, to the detriment of the character and appearance of the host property and surrounding area."

Several refusals have gone to appeal; some of those remain to be decided, but of those of which I am aware, all in Barnet have been dismissed, Inspectors agreeing with the Council. (Some other local planning authorities have however lost on appeal.) A very recent court judgement on a group of cases (none in Barnet) has supported Inspectors who have dismissed appeals on external appearance grounds, agreeing that 'external appearance' included the building in its wider context, and not just the building itself, as the appellants had maintained.

So this particular permitted development right has not as yet done what the Government had hoped, and objectors should be heartened.

London Plan Tall Buildings Policy: Implications for Local Plans

Peter Eversden casts light on some recent decisions

The new London Plan Policy D9, Part B, requires London boroughs to identify locations where tall buildings may be appropriate (B1), to identify such locations and appropriate tall building heights on maps in their Local Plan (B2) and, **once the Local Plan has been adopted**, to ensure that “tall buildings should only be developed in locations that are identified as suitable in the Local Plan” (B3).

The survey of progress on developing these policies in Local Plans was among the agenda papers for the Greater London Assembly’s Planning and Regeneration Committee 9 November 2021. This revealed that for many boroughs, it will be some time before B3 is triggered. There have been recent court cases (one in Hillingdon and one on an appeal decision in Enfield) relating to the current state of their respective local plans; they indicate that if local policies are not in place there are problems in refusing schemes for tall buildings, however undesirable the location.

Part C of Policy D9 provides the criteria for assessing proposals which come forward at these identified locations. The London Plan asserts that a plan-led approach to the location of tall buildings through borough Local Plans can deliver the type of local plans advocated by the 2021 NPPF (paragraph 15). Forum member societies should be pressing their borough councils to ensure that where Local Plans are deficient, Supplementary Planning Documents or Area Plans are in place to ensure that council decisions on tall buildings will be upheld on appeal.

Levelling Up across London, by Clare Birks - the first in an occasional series of London Forum Briefing Papers

Purpose and definitions

This briefing paper provides a London perspective on 'levelling up', one of the government's main policy aims. Levelling up means different things to different people, of course, but at its heart focuses on reducing inequality, in health, skills, opportunities and resilience. The 'up' in levelling up implies it is to be achieved by raising the disadvantaged rather than by lowering the advantaged.

Why it is important

The government is particularly committed to levelling up for disadvantaged communities in the north of England, and is choosing to ignore, so far, that London has some of the most disadvantaged areas in the country. COVID has exacerbated the health inequalities in London and has had a severe impact on London's economy owing to the lack of overseas visitors and to working from home. The Mayor of London has published regular updates on the impact of COVID on London, more [here](#).

London is the major economic engine for the UK, and its disadvantaged communities represent a huge amount of wasted potential. Ignoring them is bad not only for London, but for the whole country, more here [ONLONDON warning](#). This brief sets out the facts and provides links to more sources. It also identifies some actions that the GLA and local councils are taking in the absence of central government support.

Some facts

The Trust for London, an independent charity, publishes regular updates on Poverty in London defined as **'households whose income is 60% below the median household income after housing costs for that year'**. Some highlights follow, with more detail [here](#).

Demography

- London has a population of c9m, 1 in 3 of whom were born outside the UK. 28% of Londoners (2.5m people, of whom 550,000 are children) live in poverty, due to the high cost of living. For poor households, housing can cost more than 50% of income
- Four out of ten London children live in poverty, (six of ten in Tower Hamlets)
- A household is more likely to be in poverty if there are lots of children, a family member is disabled, there is a single parent, the family is from a BAME background, the household is workless or its adults have no qualifications
- Richmond has the lowest BAME population (13%) and Brent the highest (69%)

Work

- Of those living in poverty, half are in work. 780,000 jobs in London pay less than the London Living Wage (more [here](#)), and many jobs in accommodation and food services are low-paid.
- Rates of pay are most unequal in Westminster, Camden, Richmond and Kingston and least unequal in Hillingdon, Brent and Barking & Dagenham
- Young people, particularly those without qualifications and particularly young black men, suffer much higher unemployment than other groups

Crime

- Road accidents, violence and sex offences are more prevalent in the poorest areas

Life expectancy

- The highest life expectancy is in Westminster (men 84.9 years and women 87.2) and the lowest in Barking & Dagenham (men 78.1 years and women 82.3)
- Men in London can expect to live 17 years in ill-health (the lowest is 13 in Kingston, the highest 20 in Lambeth and Westminster); women can expect to live 20 years in ill health (15 in Kingston, 27 in Tower Hamlets). Note,

according to the WHO, ill health for life expectancy purposes means ‘in less than full health due to disease and/or injury’ [More here](#)

What is being done to even things up across London?

The GLA, local councils and others are committed to helping the disadvantaged. Here are just a few examples of their contributions.

- The Mayor has published a strategy to reduce health inequalities, more [here](#) . It includes mental health first aid approaches, Healthy Early Years Programmes, air quality, social prescribing and physical activity.
- Eight boroughs in East and North-East London have got together to make the case for levelling up in their areas, more [here](#) and [here](#). Their analysis focuses on *‘altering the industrial mix in the area to raise productivity closer to the London regional level, using improvements in connectivity both physical and digital to create a network of town centres acting as employment hubs for the knowledge-intensive service sector...regeneration and development on brownfield sites and associated infrastructure improvements..... in the Thames Estuary and the London-Cambridge corridor’*.
- There is an equivalent collaboration among seven boroughs in West London.
- London councils and charities undertake many other initiatives of which Islington’s healthy neighbourhoods programme (more [here](#)) is but one example. It recognises that we cannot rely on the NHS alone to fix health problems and spotlights how planning, housing, economic development, leisure, regeneration and other council functions can come together with public health to address health inequalities and deliver positive change.
- As an example of a community-run healthy neighbourhood initiative, there is Myatts Fields Park in Lambeth, more [here](#) .

Other useful sources

Many groups and experts research and write about London, especially Prof Tony Travers at LSE London [here](#) and the Centre for London [here](#) , which has recently initiated research into levelling up across London. RPS Group, a professional

services company has advocated for an objective and transparent way of measuring the gap to be levelled so that efforts are properly focused on the most needy areas [here](#).

Introducing Hillgate Village Residents Association (HVRA)

HVRA represents a well-known area of mainly 2-storey Victorian “workman’s cottages” south of Notting Hill Gate. We formed in 2016 to resist a controversial 18-storey tower proposal at Newcombe House, to the east end of the Village, above the tube station.



The Association is now chaired by Sophie Massey Cook, who, as a local resident, was active in the successful campaign against the 72 storey “Paddington Pole” proposed by the late Irvine Sellar, of “Shard” fame.

The RBK&C planning portal received a record 900 objections to the Newcombe House redevelopment proposal, which would tower over Hillgate Village and surrounding conservation areas and be highly visible from Kensington Gardens and Kensington Palace.

Unfortunately, following call-ins by both the Mayor and the Secretary of State, the Newcombe Tower was approved in 2020. Public benefits were deemed to

outweigh the “less than substantial” harm caused by the development. We are grateful for active support and advice given by our MPs, the Skyline Campaign, heritage organisations and other professionals.

The London Forum has itself taken a tough line on high buildings, arguing in Michael Bach’s 2017 response to Westminster’s draft tall buildings policy that higher density does not necessarily mean high rise. (See [link](#))

HVRA has now matured into a more traditional residents’ association. We actively consult and group with our neighbouring RAs over issues of mutual concern such as the recent Thames Water flooding, planning, transport and environmental policy. We work



closely with the Pembridge Association, and Campden Hill RA on improvements to the streetscape of Notting Hill Gate - a busy transport hub and shopping area and the main tourist access for Portobello Road. Notting Hill Police Station, pictured above and now closed, may be our next campaign.

www.hillgatevillage.com email: Hillgatevillage@outlook.com

Reducing traffic congestion and vehicle emissions in London

Daniel Instone and Andrew Bosi report

On 18 January Sadiq Khan announced that he was looking at additional measures to reduce vehicle use in London, especially of the most polluting vehicles. This comes four months after the extension of the Ultra-Low Emission Zone (ULEZ) to all the area inside the North and South Circular Roads.

The Mayor cited new analysis that vehicle congestion cost London £5 billion in the last year, and has returned to pre-pandemic levels. Public transport use remains significantly below pre-pandemic levels. Travel by sustainable modes (target 80%) has fallen from 64% at its peak to 57%. The Mayor said that as well as reducing

congestion, additional key aims were to reduce further both CO2 emissions and local air pollution.

He said his longer-term aim was to have a fairer system of road charging, under which drivers would be charged per mile in the charged area (rather than through the present system of a fixed daily charge), fully integrated with an emissions charge; but that “the technology to implement such a scheme is still years away from being ready”. He therefore intends to consult Londoners on various interim options, including the possibilities of: extending the current ULEZ to cover the whole of Greater London; or charging vehicles registered outside London to enter Greater London; or widening the range of vehicles subject to an emissions charge. Subject to the results of consultation, and to feasibility, the Mayor aims to introduce the chosen interim scheme by May 2024 (when the next mayoral election is due).

London Forum has been pressing for some time for a distance-based system of road pricing as being fairer than the current system, where drivers pay the same amount per day however far they travel, irrespective of time of day or popularity of route. Distance-based charges apply to lorries on all roads in several European countries (e.g. Germany, Switzerland) – which require all trucks to have a recording device inside their cabs. The barriers appear more political than technical. On emission zones, more cities outside London (e.g. Birmingham, Bradford, Portsmouth) are introducing charging zones, for either heavy vehicles or cars too. These are being encouraged by central government.

As more vehicles are available with lower emissions, and as older vehicles reach the end of their life, it makes sense to widen the charging base to more kinds of vehicles. Moreover, as electric vehicles (which pay no fuel duty) become ever more widely used, the authorities need some means of replacing the (very large) revenue base which fuel duty currently provides, before the cheaper travel afforded to electric vehicles becomes established.

TfL is also critically short of funds for improving public transport, mainly as a result of the reduction in passengers during the pandemic. Self-inflicted delays to buses

from some poorly implemented traffic management schemes appear to have contributed too.

The Mayor's proposals are likely to prove controversial. But the direction of travel seems clear, even if there is much scope for discussion about what schemes to introduce, and when.

Meeting Housing Demand - Michael Jubb finds the House of Lords Built Environment Committee Report disappointing

This report brings together useful data on trends familiar to most Forum members. But the recommendations are, with one exception, disappointingly bland. The report starts with demographic trends and housing demand, before providing an analysis of volumes of supply, prices, and affordability across owner-occupied, private rented, and social housing over the past 40 years. More interestingly, a discussion of housing for elderly people includes evidence from specialist providers on the 'structural shortage of suitable housing options for older people' in the UK as against international comparators.

The report also includes discussion of

- the building industry, showing the increasing dominance of large builders, and the decline of SMEs (responsible for 39% of new homes in 1988, but only 10% in 2020);
- complexities and delays at national and local level in the planning system, CIL and Section 106 agreements; and
- skills shortages and the need to reform the Construction Industry Training Board.

The most forthright part of the report talks of an evolving crisis in local planning authorities, which lack sufficient financial resources and skilled people. It therefore recommends that the Government should increase resourcing for Local Planning Authorities to improve local plan-making and accelerate the processing of planning applications; and that fees should be increased to help cover the costs of the system. Whether the Government will do anything of the kind remains to be seen.

Planning for London Programme - Matters which should drive the preparation of the next London Plan

Less than a year after the current London Plan was formally adopted, the London Forum responded to the first step on the road to developing its successor, namely a call for “evidence that Londoners and other stakeholders think we should consider while developing the programme”. We have submitted a list of 10 priorities that the Forum believes should drive the programme to prepare the next London Plan. These are:

1. **Climate change/sustainability** – shorter timescales for securing significant change (2030 rather than 2040/50) require more urgent action. Policies will be required, for example, to enforce Net-Zero construction and retrofitting of existing buildings
2. **Revised Population and Household Projections** are required for a new Strategic Housing Market Assessment, taking into account the consequences of Brexit and the pandemic
3. New models are required for **intensification of development**, especially in Outer London, given limited public acceptability and sustainability issues with tower blocks. The current confusion over acceptable locations for **tall buildings** needs urgent resolution.
4. Reassess the capacity and roles of **Opportunity Areas**, given their mixed track record and the limited investment available for improving public transport accessibility
5. Revive the overall aim of **reducing the need to travel**, especially by car + to achieve major modal shift by 2030, with emphasis on creating and maintaining sustainable ten-minute neighbourhoods (5-minute in Inner London)
6. **Strengthening town centres** as preferred locations for economic activities, social infrastructure and controlled implementation of additional housing.

7. Review the role and functions of the **Central Activities Zone**, and how to maintain the benefits of agglomeration in a less centralised city
8. Enhanced Protection is needed for **Metropolitan Open Land** as it is embedded within the built-up area and (unlike green belt) is irreplaceable.
9. **'Good Growth'** must have community buy-in, and ideally be community-led. London Plan policies and Mayoral guidance documents must promote **early community engagement**
10. **Identify growth opportunities and clusters to boost London's economy**, including protection for industrial land revisiting proposals for Outer London Development Centres

A further GLA consultation sought views on what the Mayor's Annual Monitoring Report (AMR) should cover in future. London Forum asked for more key performance indicators to be reported upon, and criticised the failure of the Mayor to publish AMRs for 2019/20 and 2020/21.

A News/Updates [entry](#) on our website has links to our full responses.

ROUND THE SOCIETIES – Good News Week...?

This column all too often shares bad news and in the current planning climate we can all empathise with the complaint, in Hamlet, that *“when sorrows come, they come not single spies, but in battalions”*. With limited space this issue, we decided to focus on just two items only, one national and one local, which perhaps set precedents for others.

For the former, it is pleasing to note press reports that accountant Robert Page, who poisoned a TPO-protected 65' Monterey Pine which overshadowed his property at Poole Harbour in order to secure an increase in the value of his

property, has been fined £80,000 to reflect the increased value he aimed to secure!

For the latter, we focus on just the Barnet Society. In their words: “You wait years to win a significant planning appeal; then three come along within a few weeks, and, because they set legal precedents, they will send powerful messages to developers and Councils.”

1. The decision on the Whalebones site vindicated their six-year struggle. When Barnet Council withdrew from defending its refusal, the Society, MP Theresa Villiers and local residents fought on alone. [Although we understand that the Barnet Residents Association had supported some development.] This was picked up in the Inspector’s verdict: *“I am in no doubt that the proposal would have a significantly harmful effect on the character and appearance of the appeal site and surrounding area. Whilst the benefits of the scheme are clearly significant, collectively these would not overcome the cumulative substantial weight I attach to the identified harms.”* Whalebones is a significant part of the Wood Street Conservation Area: the last open fields where livestock grazed before being sold at the local market. While the developers Hill might yet appeal to the Secretary of State, the post-COP26 importance of preserving biodiverse green spaces may count against them.
2. Another Inspector ruled that a building erected in 2022 at 70 High Street must be demolished and the original rebuilt! The building which emerged from behind scaffolding deviated from the approved 2017 drawings, particularly on height. The Society resolved that the flagrant breach of planning control must be challenged. The Inspector’s conclusions were unambiguous: *“the building feels and looks overly large in terms of its height and bulk in its surroundings and ill-proportioned in comparison to its neighbours. This... is exacerbated by the materials [used].”*
3. JC Decaux wanted to erect Telecoms hubs – basically large advertising monoliths with add-ons for public use - outside 83 and 113 High Street.

There are already two, with a third approved, thus making five within 400 metres. The Society argued that they would add visual clutter that they and the Council have been trying to remove for years. The Inspector noted that *“Both would harm the character and appearance of the area and would also block views of pedestrians approaching the nearby crossing. would be an incongruous addition to the street that would not integrate well with existing features [and] would not respect the largely open and uncluttered character of the footway “*

....and finally, the revolving door at DLUHC

Why are Kris Hopkins, Gavin Barwell, Alok Sharma, Dominic Raab and Esther McVey all members of the 8-11 club? Their tenure as Housing Minister lasted between 8 and 11 months. What price Stuart Andrew joining them later this year?
