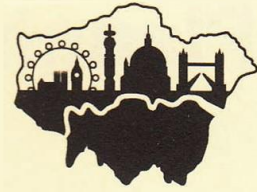


The **London Forum** of  
Amenity and Civic Societies



*working to protect and improve the quality of life in London*

# London Forum *Insights*

*Issue 14, May 2023*

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## **Editorial**

*This issue of London Forum Insights opens with some predictable fall-out from Michael Gove's decision to offer rural communities a "get out of jail free" card on housing targets, whilst reiterating the Government's commitment to building 300,000 homes a year. Peter Eversden distils the important bits from the Levelling Up and Regeneration Bill's agonisingly slow progress through the House of Lords Committee Stage, and unpicks the Government announcement that in certain circumstances Compulsory Purchase may go ahead without having to pay "hope" value for the site.*

*Chris Goodair, Chair of the Wimbledon Society's planning committee writes about the All England Lawn Tennis Club's plans for the former Wimbledon Park golf course and the threatened misuse of Metropolitan Open Land. London Forum trustee, Clare Birks details the outcome of the Forum's recent strategy workshop.*

*The issue also contains regular features on environmental and transport matters, a contributed column from Civic Voice, and the ever-popular Round the Societies.*

*We wish all our members a good read, and an enjoyable Coronation week-end.*

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## **Developers blame Nimbys again**

*The front page of the Times for April 8th headlined the Government's scrapping of housing targets and the inevitable outburst from Stewart Baseley, executive chairman of the Home Builders Federation, that "the government's increasingly anti-development policies... has effectively created a nimby's charter", while an editorial analysis column thundered that "Nimbys must be ignored". This brought a telling series of cross-sectoral letters, vigorously refuting this.*

*Two of these came from active members of the London Forum. **Gordon Massey, Chairman of the Federation of Barnet Residents' Associations**, wrote: "The assertion that nimbys are only interested in preserving the value of their houses is wide of the mark. I have long been engaged in community reaction to development proposals in London. Rarely do I experience outright opposition to development and that usually revolves around the loss of green space. The majority of large schemes are for tall, dense, poorly designed blocks of tiny flats, many of which will be occupied by footloose buy-to-let tenants. So it should be no surprise that residents in settled suburban communities of low-rise family houses are roused to fury. Proposals for, say, streets of small terraced houses would rarely experience opposition."*

***Michael Hammerson, Forum trustee and Vice-chairman of the Highgate Society** wrote: "Your letters articulate the cross-community dismay at the efforts of the government and developers to blame the housing supply crisis on 'nimbys' rather than on the government's tinkering with the planning system – not least the illogical widening of permitted development, which has left communities powerless to secure what their areas actually need, particularly affordable housing. A frequent complaint is that by the time a planning application is put out for 'consultation', the community has already been 'stitched up' by agreement between the developer and the local authority and can do little to address any major concerns. Formal community involvement needs to be embedded in the planning process. This must start at the pre-application stage and continue through the process, to ensure meaningful community input. The result would not be more 'nimbyism' and less development but more (and better) development, as well as a faster and less confrontational planning process."*

*On 14th April a Times editorial included an attack on the abolition of mandatory house-building targets and on nimby councils in the Home Counties. In a letter the next day the Secretary of State, Michael Gove, reiterated the Government's*

*commitment to 300,000 houses a year and an increase in social housing - 'We want more of the new homes that are built to be for people to live in' (sic).*

*So no respite in sight for London and the other large cities, to which a 35% uplift in their housing targets is to be applied. As has been said before in this newsletter, the implied doubling in the rate of house-building across the Capital would present awesome challenges, of which gaining community acceptance for the scale and pace of change is but one.*

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### ***Wimbledon Society's Chris Goodair reports on the All England Club's controversial plans for Wimbledon Park***

*In summer 2021, the All England Lawn Tennis Club (AELTC) made a planning application to develop the Wimbledon Park Golf Course, whose freehold they had acquired from Merton Council in 1993, followed by buying out the golf club's lease a few years ago. Their plans include an 8,000-seater stadium, 38 other open grass courts, 10 ancillary buildings and 9 km of paths and roads. But the land is Metropolitan Open Land, a Site of Importance for Nature Conservation, a Grade II\* Listed Park and is in a Conservation Area.*

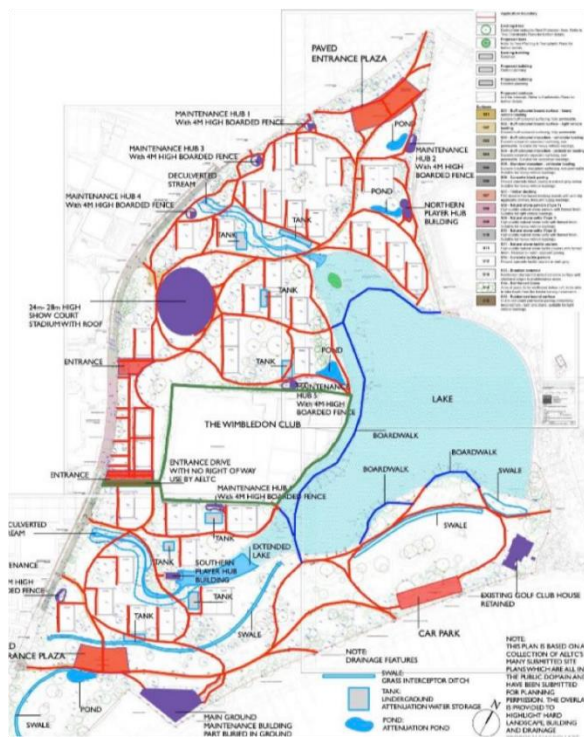
*The Wimbledon Society has joined with local Residents' Associations in a campaigning group, Save Wimbledon Park (SWP), to oppose these plans: [www.savewimbledonpark.org](http://www.savewimbledonpark.org). Our petition topped 10,000 signatures over the Easter weekend and is now at more than 11,300. By working with the London branch of the CPRE – the countryside charity, we are now aware of dozens of other open places under threat from development, often by major sporting interests.*

*The application hasn't yet made the Councils' Planning Committees yet (it's a cross-border application to both Merton & Wandsworth). The original 101 supporting documents were followed by 60 more in May 2022 and another 20-odd last autumn. Changes were not tracked, so it's impossible to tell which of the original documents have been amended or superseded and how they have changed. More than 2,000 objections have been made to the application.*

*There were concerns about the AELTC's future intentions when they bought the freehold in 1993. To mitigate this, Merton Council entered into Covenants with AELTC not to develop the land for anything other than "leisure or recreation*

purposes or as an open space" and to create a publicly accessible walk around the Wimbledon Park lake once golf ceased.

After extensive research, we have failed to find any evidence that the Council advertised the sale of the land in 1993. This is a parallel situation to that in *Day v Shropshire*, decided in the Supreme Court in March. That decision held that because of a failure to advertise, the statutory trust on which the land had been held by the local authority still existed and the company that had bought the land for development held it on the original terms. It was a material consideration that the planning authority should have taken into account when granting planning permission and that permission was thereby quashed by the Court.



Having bought out the lease and submitted the planning application, golf ceased at 31 December 2022. But no publicly accessible walk around the lake is being created. The AELTC is relying on a legal technicality that as the lease still subsists, they have no need to comply with the Covenants. Instead, the AELTC's plans include a permissive boardwalk, mainly constructed in the lake, and they are trumpeting this as a community benefit deriving from their application.

Although the attached plan cannot be read in any detail, the highly intrusive nature of the development is evident from

the new concrete paths and court access points shown in red. The boardwalk around the lake is in blue.

We are now up to nine letters of objection from Wimbledon Society, all of which can be viewed on the AELTC section of our website: <https://wimbledonsociety.org.uk/>

## **LURB in the Lords**

**Peter Eversden summarises the issues relevant to Forum members**

*The Levelling-Up and Regeneration Bill (LURB) is approaching the end of its Lords Bill Committee Stage, during which there have been many substantial debates. No significant changes to the Bill have yet been made except for ones proposed by Government, largely in response to the Report Stage discussions in the Commons and following the [letter](#) by the Secretary of State, Michael Gove, in December. Most amendments by Peers were withdrawn after they were debated. Ministers were pressed to consider many of them for the Bill's Report Stage. At that stage, probably in the early summer, Peers' will be able to return to topics on which the Government has not responded satisfactorily, and there may be divisions and possibly Government defeats, which will lead to debates when the Bill returns to the Commons.*

*There has been a lot of criticism of the Government's dismissal of amendments designed to clarify and improve the Bill, with the argument that their intentions will be met by regulations to come later and the revisions to the NPPF. Particularly criticised has been the Government's proposal to have National Development Management Policies which would have priority over policies in local plans. Among subjects discussed in Lords Committee have been:*

- Local Authorities to be able to conduct meetings 'remotely' as during the pandemic*
- Neighbourhood Planning - the attitude of local authorities to it;*
- Public land to be sold at less than best value to assist housing delivery;*
- Affordable housing, homes for elderly people and housing standards;*
- Housing supply, especially of affordable and retirement homes.*
- Small site provision for Small and Medium Enterprises*
- Social rents*
- Local Heritage lists, and control of the demolition of buildings on such a list*
- Compensation when a building preservation notice is served*
- Street votes - how they relate to local and neighbourhood plans, and who should be eligible to vote.*
- Removal of urgent crown developments from local planning control;*

*London Forum will be examining the rest of the Lords LURB Committee's meetings and preparing for the Lords Report Stage on the Bill. That will include further liaison with Peers to seek amendments or to seek changes to ones proposed.*

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## Hope against "hope"?

Department for Levelling Up, Housing and Communities (DLUHC) minister Baroness Scott tabled an important amendment to the Levelling Up and Regeneration Bill (LURB) in March 2023. Under the current compulsory purchase order (CPO) system, landowners can claim what is known as the "hope value" of development - the value of the land or property if granted a certain planning permission - by applying to the local authority for a certificate of appropriate alternative development. The Levelling Up and Regeneration Bill, first published in May 2022, proposes a number of changes to the existing compulsory purchase order system, including extending the period within which compulsory purchase powers can be exercised.

Then, in June 2022, the government published a consultation outlining a series of further proposed changes to the CPO system. One of these said that the government would consider allowing local authorities to seek authority from the Secretary of State to cap payments for specific schemes at or just above existing use value "where it can be shown that the public interest in doing so would be justified".

The new amendment to the LURB, which is currently at committee stage in the House of Lords, would allow "a minister confirming a compulsory purchase order to direct, in certain cases involving affordable housing, health or education, that compensation should be assessed on the basis that no new planning permission would be granted for the land".

The amendment would require acquiring authorities to submit a "statement of commitments" to the confirming authority outlining its "intentions as to what will be done with the project land should the acquisition proceed, so far as the authority relies on those intentions in contending that the direction is justified in the public interest". This might include the "provision of a certain number of units of affordable housing", depending on the type of scheme, the amendment adds.

The London Forum welcomes this attempt by the Government to keep down the cost of providing affordable housing, though it is being criticised by some consultants who claim that it may be counterproductive.

**Stop Press:** the Government has now reported on the above-mentioned consultation and re-affirmed its intentions – see [here](#).

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# **Environmental Issues**

## **Daniel Instone**

*At the end of August, the Ultra Low Emissions Zone (ULEZ) is due to be extended to cover the whole of Greater London. It currently applies only up to (but not including) the North and South Circular Roads. The aim of the ULEZ is to reduce local air pollution by making a charge on the most polluting cars and vans. (The regime for lorries already covers all London.). Only older diesel and petrol cars will be affected; so for most vehicles there will be no extra charge. Most London boroughs support this move; five boroughs are seeking to mount a legal challenge.*

*Before the Covid pandemic, the government had decided to back proposals for a third runway at Heathrow. This would have significant noise and other environmental implications. Air traffic forecasts were reduced in the pandemic. Consequently, Heathrow and the Government have been reviewing plans; and we can expect a further announcement later in the year.*

*London's environment, like that of the rest of the country, is likely to be affected by two bills, currently still going through parliament. The first is the Retained EU Law (Revocation and Reform) Bill. Under this, all government departments are having to review all laws derived from the EU, and explicitly say which ones they want to keep; otherwise they would fall away. This could have big environmental implications, in areas like air and water pollution, waste, habitats and climate change, and is tying up a lot of staff resources in going through the mass of legislation concerned. A full list of the huge numbers of laws affected is given via the attached link to the relevant government website – see [here](#).*

*Stop Press - we understand that the Government is dropping plans to repeal all EU laws by the end of this year, and is now targeting some 800 out of 4000.*

*The second is the Levelling up and Regeneration Bill (also covered elsewhere in this edition of Insights). One part of this bill is a power for government to require a report from proponents on how a range of environmental outcomes would be affected by various proposals that would require government consent (e.g. planning consent). Consultation is currently going on over exactly how this would work. As yet, the full impact of this is not very clear.*

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## **Andrew Bosi's Transport Round-up**

### **Mayor announces Superloop**

*Daniel Instone has commented on the controversy surrounding the extension of the ULEZ to cover all of Greater London. Those expecting the Mayor to deliver on the promise of corresponding improvements in public transport – in reality, buses – in the outer zone may also be heading for disappointment.*

*Cuts to central London bus services (see below) are supposed to fund improvements in zones 4-6, but the plans for the Silvertown tunnel fall short of what was promised when the controversial road building was approved. However, its proposed new express route (provisionally numbered X239) will form part of the Mayor's Superloop, a series of orbital express routes around London, augmented by three radial routes (the 607, the X68 and the aforementioned X239). The existing orbital routes are the X26 (formerly the 726) which will see a doubling of frequency, and the 140. The new routes are Walthamstow-Ilford-Royal Docks (it is unclear if the 123 will change); Harrow-Northwick Park, Hendon & North Finchley; North Finchley-Edmonton & Walthamstow; Bexleyheath-Sidcup & Bromley (again, will the 269 survive at its current frequency?); Bromley to Croydon.*

*TfL has hitherto been regarded as reluctant to promote express bus services, or to brand routes in the manner seen in cities like Bristol and Newcastle. Following the introduction of red routes, they experimented with an X43 but it was not a success, partly because services on the all stops 43 were simultaneously cut and were less frequent in the peak periods than between peaks. TfL has also been criticised for under-providing orbital routes.*

*It is disappointing that the X239 and other new routes will not be in place in time for the introduction of the ULEZ, but the phased introduction will ensure plenty of announcements about an improving Superloop.*

### **Bus cuts in central London**

*in the euphoria that greeted the reprieve to routes like the 4, 11, 14 and 16, the fact that some cuts were to be made to central London buses was largely overlooked. (In fact, the 16 is going, just giving its number to an augmented 332). These changes came into force on April 29<sup>th</sup>. The re-routing of the 11, so that it ceases to be the tourist route it once was, has attracted most criticism in the run up to the cuts. Problems of full buses and children arriving late at school persist with the change to the 21 made in February, and the planned merger of the 1 and 168 is still expected later this year.*



### ***Further improvements to the Elizabeth line***

*The May Network Rail timetable change will see peak trains through the centre increase from 22 per hour to 24, and through running from Heathrow to Shenfield, though not Reading-Shenfield. Usage continues to exceed expectations with no apparent adverse impact on tube line footfall.*

### ***If those LIPs could only speak***

*The Mayor has announced funding for local authorities to implement their local transport plans, with an emphasis on outer London and a reduction to Tower Hamlets, where the borough's Mayor is considering taking out traffic management schemes.*

### ***Euston follows Sheffield and Plymouth***

*Two more plane trees on Euston Road were chopped down just two weeks before the government announced a 2 year pause in HS2 work south of Old Oak Common. They acknowledged that plans for a new Euston station were not yet in a deliverable form, but are still reluctant to acknowledge that the same is true of the tunneling in the proposed approach to the station by HS2. HS2 Ltd. continues to wage a propaganda war, supported by the developers who stand to gain from the project, and HSUK and Lord Berkeley continue to challenge any misinformation. The delay adds to the cost of cancelling the scheme and to that of building it, so it has not had much of a welcome.*

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### ***APPG for Civic Societies highlights the importance of collaborative partnerships***

*On March 21st, the All-Party Parliamentary Group for Civic Societies (APPG) hosted an event where key stakeholders and policymakers shared their approaches to revitalising town centres. The event at Westminster's Houses of Parliament aimed to consider how we can ensure that all heritage high streets and town centres receive support and adopt strategies for meaningful community engagement.*

*Some of the representatives at the session appear below, but included The Minister for Arts and Heritage from Department for Culture, Media and Sport, Lord Parkinson of Whitley Bay; the leader of Bromsgrove District Council, Cllr Karen May; and national policy experts, including Kelcey Wilson-Lee from The Architectural Heritage Fund and Owain Lloyd-James from Historic England. The event covered various*

ways to support and level up heritage high streets and town centres. Civic Voice's Martin Hamilton chaired the discussion.



*With attendees from all over the country, from Cumbria to Devon to Folkestone, it demonstrated the national importance of these issues and the number of people who want to learn how to support their high street. It was commented that partnership structures do not work in many places, and we need to find innovative ways to inspire leadership and collaboration. Effective partnerships between civic societies, community groups, councils and other stakeholders are essential in our efforts to develop strategies that will help safeguard the character of our heritage high streets and town centres and ensure their viability and sustainability for future generations.*

*To that end, we're looking for examples of successful collaborations involving civic societies and community groups. We want to invite you to submit any relevant examples you know of successful partnerships delivering town centre projects. We are doing this in collaboration with the APPG for Civic Societies. We will compile these examples to highlight best practices and encourage other groups to follow suit. This will be unveiled at a future Civic Voice/APPG for Civic Societies event. Send any examples you have to: [info@civicvoice.org.uk](mailto:info@civicvoice.org.uk).*

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## **Briefly Noted**

### ***Helen Warner highlights the problem with ‘beauty’***

*The terms “beautiful buildings” and “beautiful places” have found their way into the National Planning Policy Framework and in the recent consultation Reforms to national planning policy, question 33 asked “Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?” But beauty is not defined and is certainly subjective. One has to question how this might be applied in assessing planning applications and thus how a development would ‘comply’. London Forum raised such concerns in its response to the consultation.*

*Clearly the Government will need to clarify. London Forum President, Ben Derbyshire writing recently in Housing Today wonders “whether this focus on beauty amounted to ... the mid nineteenth century Aesthetic Movement reborn?” and says “The attempt to thread beauty into the warp and weft of a veil which might cover all the ills and right all the wrongs of development is a doomed enterprise”. Ben’s full article can be found [here](#).*

### ***Will the Infrastructure Levy ever see the light of day?***

*The Government is consulting on its proposals for an Infrastructure Levy (IL) to replace Section 106 obligations and the Community Infrastructure Levy (CIL) – see [here](#)*

- 1. The original idea was a uniform nationwide rate applied to Gross Development Value, instead of floor space, with the aim of simplifying the process and providing certainty as to quantum*
- 2. Problems rapidly became apparent and the proposal is now for IL rates to be set by LPAs at a much more granular level*
- 3. This is re-introducing a great deal of complexity, and it is now hard to see where any simplification will come from*

4. *No one seems to believe that this method will provide the required level of infrastructure funding and affordable housing contribution or deliver them at the right time*
5. *The Government is now planning to pilot in a small number of LPAs over next 2-3 years; national roll-out could stretch into the 2030s*
6. *The Labour Party is opposed to IL as it currently stands, so it might get overtaken by events*

*The current consultation closes on 9th June. The London Forum will decide by the end of May whether we have anything to add after considering any changes during the progress of LURB in the House of Lords.*

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## **Save the Dates**

**Open Meeting on Housing 15 June 2023, 6.00 for  
6.30pm                      Darian Mitchell**

*The next Open Meeting for members will be held in the evening of 15<sup>th</sup> June 2023 at 70-75 Cowcross Street. The subject of the meeting will be housing.*

*Housing is a big subject which can be approached from many angles and affects most aspects of London life. It is something which concerns us all whether we own our own homes in leafy suburbs or are struggling to find the rent in an inner-city studio flat. We are told that London has a severe housing shortage and hundreds of thousands of new homes must be built to meet the need. This raises questions: how is this need assessed; who are the homes for; who is responsible for building them; where will they all go? The answers rather depend on whether you are considering market or affordable housing.*

*In this open meeting we are concentrating on the social and political aspects of housing rather than environmental or design considerations, and the focus will be on affordable as opposed to market homes although they are frequently supplied through the same developers. It is an interesting but complex topic, and we have asked three speakers from academia and the Greater London Authority to give us a background and some detail so that the implications of Mayoral and government*

*housing policy can be better understood.*

**London Forum Reception**    *Date to be confirmed, likely to be 21 or 22 August*  
**Annual General Meeting**    *12 October, 2023 (may be hybrid Zoom/in-person)*

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## **Round the Societies**

**Highlights from members' newsletters selected by Michael Hammerson and Helen Warner**

Please see the link [here](#) for fuller version

*High rise developments and worries about potential loss of green spaces continue to feature across many societies. The **Amwell Society** joined other local groups to oppose (unsuccessfully) a new build at the Angel intersection, replacing an unprepossessing post-modern building, with a far bulkier “clone of countless other similar office developments”. “Such a prominent site deserves better ... something well-designed which respects the local context”. On the bright side they welcome Islington completing 25 new dwellings on the Margery Street site of which 60% are for social rent.*

*The **Highgate Society** had a walkabout with Haringey Planners, visiting eleven sites of major concern where they believe planners made poor decisions against their own policies. There are frustrations with proposed housing development at the Wellington Gyratory, a traffic island on a red route. Haringey's assurance that pollution “improves dramatically as you move up” is of little comfort. The office-block-like design was approved by Haringey's Quality Review Panel.*

*The **Enfield Society** await the Borough's reply to its 2021 Local Plan consultation, which drew 7,267 responses. There was considerable opposition to tall buildings, particularly in Enfield Town and other historic centres. The use of Green Belt land is still on the agenda.*

*The **Islington Society** are concerned about the New Barnsbury Estate, where development will reduce open space by 60% and new buildings will be double the height of existing ones. The new spaces, grandly relabelled 'Parks', represent a huge reduction in green space per head, contrary to the Local Plan. The net increase in 'affordable' or social dwellings will be relatively small. **The***

***Hammersmith Society** highlight developers' proposals to 'greenwash' developments, providing unrealistic computer-generated 'greening' of horizontal surfaces such as in King Street, “trying to hide the concrete in*



development proposals”.

**Barnet Residents’ Association** and the **Barnet Society** are concerned about the scale of damage to the character of the town centre if The Spires shopping centre, in a Conservation Area, proceeds as proposed. However, they also report that the new Barnet Council is taking a more robust stance against high-rise developments in suburban settings, having rejected ‘overdevelopment’ at the New Barnet gas works site and the North London Business Park.

**The Streatham Society** would like to see Streatham High Road improved. They are concerned about BT Street Hubs, 75-inch tablets with LCD screens showing advertisements which pay for the units. They provide free calls, USB charging, access to services and 5G, and even track air quality. BT sells them as “of great benefit to the High Street”. But others see them as part of the “inexorable trend of corporate advertising in high streets”, which obstruct the pavement, cause light pollution and distract drivers. Lambeth currently has 31 units and 16 applications, but other Councils are against, classifying them as street clutter and a magnet for anti-social behaviour including drug dealing.

**The St. Marylebone Society** report that the Baker Street Quarter Partnership is extending its services to the area around Marylebone station, with full day patrols to monitor the area to deter crime and anti-social behaviour. The Street Teams will also be tackling litter, spills, fly tips, fly posting and graffiti.

**The Kew Society** remain concerned about the Homebase Manor Road development, with no sign of a decision from the Mayor of London after two years. They have again asked the Minister to call it in.

**The Blackheath, Greenwich and Westcombe societies** reflect the ongoing issues of loss of train services on South Eastern. An online campaign to hand the Metro service to TfL control has been rejected by the DfT.

The Dulwich Society also have problems with train timetable reductions. Southern Rail has been asked to restore the number of carriages to their pre-pandemic level and to bring back some of the lost morning rush hour services.

**The West Hampstead Amenity and Transport Group** celebrates its 50th Anniversary of campaigning. Unsurprisingly many of the issues they originally campaigned on haven’t changed!

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