

Response by the London Forum of Amenity and Civic Societies to the MHCLG Planning Reform Working Paper on Brownfield Passports

Introduction

The London Forum of Amenity and Civic Societies includes over 100 constituent societies, representing a total of over 100,000 individual members in London. It was responsible for more changes in the last London Plan than any other organisation.

We welcome the opportunity to respond constructively to the Ministry's [working paper](#). We welcome the Government's desire to ensure plentiful provision of affordable housing. We also welcome the Government's focus on making the best use of brownfield land. However, some of the proposals in the working paper are likely to cause a profound backlash among many of our members and their fellow residents. Many of them live in marginal constituencies in London. This could result in high political costs for the Government.

London is unique

Notwithstanding the latest proposals for evolution, London is unique within the United Kingdom in a range of ways. Proposals for planning reform must take into account specific needs of London, the overwhelming pressure from developers, and the need to bring communities along with reforms if they are to be sustainable.

We have, in the past, worked with the Mayor's Outer London Commission on the possibility of organic and gentle densification in sustainable locations near to good transport with the support of local communities. We were involved in the development of the 'street votes' proposal. But simplistic proposals that do not take into account the unique circumstances of London are doomed to fail politically and in planning terms. We are sceptical that it is possible, desirable or appropriate to specify, at national level, blanket types of development to be permitted across London.

Definition of brownfield

It is important to note that the politically common usage of the term 'brownfield' is not the one given by national policy. In national policy, 'brownfield' land includes all previously developed land. A planning passport to redevelop 'brownfield' land could therefore include automatic permission to demolish suburban houses and replace them with unsympathetic blocks of flats. This would be profoundly opposed by many of our members.

Automatic permission

We note a contrast between the language in the working paper and some of the language quoted in the popular press in relation to the proposed passports. We welcome the statement in the working paper that the Government is not considering the granting of automatic planning permission on 'suitable' brownfield sites. It must be noted choosing brownfield first is a necessary but not sufficient condition to ensure that locations are sustainable. Future residents must have easy access to public transport and a range of social infrastructure and local services. Just because land was previously-developed does not solve the sustainability issue: a poor location remains a poor location.

Principle of development

We note that the new National Planning Policy Framework (NPPF) has already strengthened the policy position encouraging development of brownfield land.

Scale of development

We regret to say that many of the proposals as to the scale of development seem totally unworkable. That is primarily because they would result in intense backlash.

1. 'Policy could, for example, say that development should be of at least four storeys fronting principal streets in settlements which have a high level of accessibility, and/or set acceptable density ranges that allow for suitable forms of intensification. A similar approach has been used successfully in some other countries where efforts have been made to densify urban areas through 'upzoning'.'

This raises a range of difficult questions which will create substantial uncertainty. Are the 'principal streets' to be A roads, or B roads as well? Are they merely any suburban street above a certain width?

Contrary to the assertion in the quoted paragraph, it is not the case that any national Western government has successfully imposed urban upzoning in a country's largest city. Auckland upzoned itself, as did Houston and the other US cities that are often cited. In fact, Auckland has continued to strenuously resist the two subsequent policies that the central government attempted to impose on it, with the result that substantial portions of them have not entered into force.

We are deeply sceptical that the Government will choose to weather the storms of protest that would arise if picturesque semi-detached houses in Outer London were replaced by modern blocks of flats. Such a backlash was clearly seen in Croydon when it attempted to impose a similar policy. Such protests would be even stronger if the blocks moved the building line forwards to the edge of the pavement, covering what was formerly the front garden.

It would be considerably less controversial to encourage such parameters to be set through local development plans, although we are again sceptical as to the planning and social merits.

2. 'It would be important for any policies of this sort to avoid an over-concentration of development which places an unacceptable burden on local infrastructure, and we are keen to explore how this might be done – for example, whether densification in some areas should focus on corner plots and those adjoining them rather than whole streets, or linking densification opportunities to accessibility.'

Allowing densification on random street corners seems almost calculated to cause inconvenience to the maximum possible number of residents. Focusing development on street corners will result in large gains for some individual landowners together with harms for the surrounding residents.

That is different to development within a larger site: in those cases, the new homes added in the middle generally have little effect on the people outside the site. Because most new homes in those cases are not built on the edge of the site, most of the new homes built do not affect existing residents..

It is certainly appealing from an architectural and planning perspective to have higher buildings at street corners when planning a new settlement, such as a New Town. But it is not clear that adding new blocks of flats on suburban street corners is the best way to add more homes with the minimum of disruption to, and backlash from, residents.

It is also not clear how focusing development on street corners would usefully reduce the potential burden on local infrastructure except through simply reducing the number of homes delivered. In high-cost areas of London, the cost of providing additional electrical or water infrastructure is a tiny fraction of the value of a new home. Increasing the provision of services such as healthcare or schools is more challenging, but the demand for those services is driven simply by the number of homes in an area a mile or more across, not at the scale of a street corner. Limiting development to street corners rather than along principal or other streets seems therefore likely to increase the potential backlash per new home built. We suggest the goal of a good reform should be the opposite.

Questions asked

We respond below to the questions asked in the working paper.

a. Could national policy be clearer if it were explicit that development on brownfield land within urban settlements is acceptable unless certain exclusions apply?

It could be clearer, but there is a likelihood of profound backlash if that is not done with extreme care and delicacy – far greater than that exhibited by the working paper.

b. What caveats should accompany any general expectation that development on brownfield land within urban settlements is acceptable?

Such a general expectation must exclude existing residential buildings.

c. How best can urban areas be identified and defined if this approach is pursued?

This should best be done by local planning authorities - in London, by London boroughs.

d. Could national policy play a role in setting expectations about the minimum scale of development which should be regarded as acceptable in accessible urban locations?

Again, profound caution is needed. The proposals in the working paper will likely result in strong backlash, as was seen in Auckland and in Croydon.

e. What parameters could be set for both the scale of development and accessibility?

This is best left to local planning authorities. It is simply impossible to set such rules nationally.

f. Could more use be made of design guidance and codes to identify specific forms of development that are acceptable in particular types of urban area?

We would welcome more use of design guidance. However, that will require considerably more resources at local planning authority level.

g. What sort of areas would be most suited to this approach, and at what geographic scale could such guidance and codes be used?

Within London, the context is often highly granular. Local authorities' character guides often distinguish at street level and sometimes at sub-street level.

h. How could Local Development Orders be best used with these proposals?

The Government may wish to consider a pilot with a few willing local authorities to see whether Local Development Orders could be granted for some allocated sites.

i. Are there any other issues that we should consider if any of these approaches were to be taken forward, in particular to ensure they provide benefits as early as possible?

We consider the initiative to be somewhat misconceived in its current form. There is almost no way to ensure large scale densification of existing residential areas without profound backlash. No Western city with prices per square metre approaching those of London has succeeded in that.

j. In addition to streamlining permissions on urban brownfield sites, where else do you consider this type of policy could be explored to support economic growth?

In general, this specific type of nationally-directed policy for densification in already populated areas is highly vulnerable to counterreaction and is unlikely to be politically durable, as experience around the world has shown. The Government could reconsider the street votes concept and it should support local authorities and housing associations who wish to carry out renewal or infill of their existing estates where it is strongly supported by existing residents of that estate.. It should also consider planned (not speculative) release of small sections of the Metropolitan Green Belt outside Greater London that are sustainably located, i.e. near to stations.