

**STRATEGIC PLANNING
SUSTAINABILITY &
TRANSPORTATION COMMITTEE**

6th February 2018

Draft London Plan (2017)

Final Decision-Maker	Strategic Planning, Sustainability & Transportation Committee
Lead Head of Service/Lead Director	Rob Jarman, Head of Planning & Development
Lead Officer and Report Author	Sarah Lee, Principal Planning Officer (Strategic Planning)
Classification	Public
Wards affected	All

Executive Summary

The Greater London Authority has published its Draft London Plan for consultation. The Draft Plan provides the strategic framework for land use planning in Greater London for the period 2019-2041. This report considers the implications of the Draft Plan for this borough with respect to the amount of new homes London needs and the Plan's approach to providing them, the Plan's policies for affordable housing, Green Belt and Gypsies and Travellers and the proposed arrangements for collaboration between the GLA and the authorities and agencies in the wider South East. The report recommends that the Committee considers and approves a formal response to the Draft Plan on behalf of the borough council.

This report makes the following recommendations to this Committee:

1. That the Committee **approves** the response to the Draft London Plan (December 2017) set out in Appendix 1.

Timetable

Meeting	Date
Strategic Planning, Sustainability & Transportation Committee	6 th February 2018

Draft London Plan (2017)

1. INTRODUCTION AND BACKGROUND

- 1.1 The London Plan, prepared by the Greater London authority (GLA), is the strategic land use plan for the capital. Its content relates to planning matters of strategic importance to Greater London.
- 1.2 The Draft London Plan has been published for public consultation. It is a wholly new Plan; it is not an alteration or update of the previous London Plan and, once adopted, it will replace all previous versions. It covers the period 2019-2041. The end date has been chosen to provide a longer term view of London's development although certain detailed aspects such as the housing targets only relate to the first 10 years of the plan period and will need to be reviewed before 2029. Once finalised, the Plan will form part of the Development Plan for all the individual local planning authorities (LPAs) in London. The LPAs' own Local Plans are required to be in general conformity with the London Plan.
- 1.3 The GLA previously published the consultation document 'A City for all Londoners' in November 2016. That document proposed that 50,000 new homes/year would be needed to meet the demands of London's population up to 2041. With actual housing delivery rates being substantially below this in recent years, MBC's consultation response highlighted that authorities like Maidstone would come under further pressure to accommodate London's unmet needs on top of their own substantial local growth needs with consequent implications for the local environment and all forms of infrastructure. The response supported the expressed need for bold measures to make sure London meets as much of its own need as possible, including by maximising brownfield and high density opportunities.
- 1.4 The draft London Plan can be viewed here:
<https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/download-draft-london-plan-0>
- 1.5 This Council's proposed response to the Plan is included in Appendix 1. The main issues that the Draft Plan raises are explained in the following paragraphs.

Housing Needs

- 1.6 The Draft London Plan identifies that there is a requirement for some 66,000 dwellings/year to be provided in London, totalling 660,000 dwellings for the 10 year period 2019 - 2029. This annual figure is a substantial increase from the 42,000 dwellings/year target in the preceding version of the London Plan¹ and even exceeds the 50,000 new homes/year estimate proposed in 'A City for all Londoners'.

¹ Further Alterations to the London Plan (2015)

- 1.7 The 66,000 homes/year figure emanates from the GLA-prepared population projections used in the London SHMA (2017). The GLA uses its own projections rather than the Sub-National Population Projections (SNPP) prepared by the Office for National Statistics (ONS) which are used throughout the rest of the country. Whilst the methodologies are substantially the same, the SNPP use short term migration data (5 year trend) whilst the GLA uses 10 year migration trends, arguing that this provides a more reliable picture. To illustrate, the SNPP estimates that London's population will reach 10.98 million by 2039 whereas the GLA's projection is 10.66million.
- 1.8 Draft Plan Policy SD2(D) – Collaboration with the Wider South East states that the Mayor supports the recognition of long term trends in migration in the development of Local Plans outside London. The text of the Plan confirms that the GLA has prepared demographic projections for the whole of the UK to take account of cyclical changes to migration from London (paragraph 2.2.9) and goes on to state that the Mayor will use this demographic data, which takes account of long term trends, when making representations on emerging Local Plans (paragraph 2.3.2).
- 1.9 This London-specific approach to assessing future housing needs is at odds with that followed in the rest of the country which uses the SNPP as the starting point for calculating Objectively Assessed Needs (OAN). Significantly the SNPP will also be the central component of the new standardised methodology for calculating OAN which the Government intends to introduce. The Government's objective is to reduce the debate around the setting of OAN figures. The promotion by the GLA of different figures both for authorities within and for those outside London would conflict with this clear Government objective, could cause confusion and be counterproductive to efficient plan making in the wider South East and beyond. The approach in the Draft Plan should be revised to take account of the Government's intentions for a consistent and straightforward approach.

Housing Requirements (targets)

- 1.10 The Draft London Plan states that the aim will be for London to meet its own needs within its own boundaries. This objective is welcomed. To put this in context, however, actual housing delivery in 2015/16² was only 34,800. The Draft Plan itself states that the overall average rate of housing delivery on both large and small sites will need to double compared with current average completion rates to achieve the Plan's target of 65,000 new homes/year. To achieve the new requirement within London's confines will require very substantive planning measures.
- 1.11 In this respect, the Plan includes Policy GG2 – 'Making the best use of land' which, amongst other things, requires those involved in the development process to prioritise brownfield opportunities and explore the intensified use of land to create high density, mixed use places. Support should also be given to Policy D6 – 'Optimising housing density' which requires proposals to make the most efficient use of land and be developed at optimum

² Latest year for which data is available (London SHMA (2017))

density. Policy H1 – ‘Increasing Housing Supply’ sets the individual housing targets for each of the LPAs in Greater London.

- 1.12 The housing target of 65,000 dwellings/year in the Draft Plan represents at the outset an annual shortfall of some 1,000 homes compared with the expressed need revealed by the SHMA and the Plan does not appear to identify how this will be addressed. The Draft Plan should rectify this. As a minimum, the individual LPA targets in Policy H1 should be expressed as minimum targets.
- 1.13 According to the NPPF³, Local Plans should preferably have a 15 year time horizon and identify specific housing sites and locations sufficient for at least 10 years⁴. With finalisation of the London Plan in 2019, the individual London boroughs will have little prospect of getting their Local Plans adopted in time to secure a 10 year time horizon for housing land supply ending at 2029. The housing targets in the draft London Plan should extend to at least 2031 to take account of Local Plans’ preparation time.
- 1.14 Importantly the Draft Plan’s objective to meet overall needs will not insulate this borough from Duty to Co-operate approaches from individual London boroughs who could find their specific housing targets too high to meet. In West Kent there are Green Belt authorities which may not be able to meet their own needs, irrespective of additional ‘Duty to Co-operate’ growth from London. There is therefore a prospect of London boroughs ‘leapfrogging’ the Green Belt and making approaches to authorities like Maidstone to accommodate unmet housing needs.

Green Belt

- 1.15 Policy G2 of the Plan states that the de-designation of Green Belt will not be supported. The justification for this approach is that the Green Belt performs multiple beneficial functions for London including combating urban heating, growing food, providing recreational space and limiting further built expansion. Only the last of these – restricting urban sprawl - matches one of the purposes for the Green Belt set out in the NPPF⁵. The NPPF is also clear that it is for Local Plans to consider and justify alterations to Green Belt boundaries. London boroughs preparing their Local Plans should be able to determine how housing needs should best be met, including through an objective Green Belt Review to identify any parcels of land which do not meet the 5 purposes of the Green Belt sufficiently and which could be developed sustainably. The Green Belt coincides with the outer London boroughs whose housing targets are substantially increased in the Draft Plan.
- 1.16 Authorities elsewhere in the South East have had to critically consider and make positive plans for selective Green Belt release in order to meet their own objectively assessed housing needs. This option should not be closed to the outer London boroughs as a matter of principle, particularly when the

³ Paragraph 157

⁴ Paragraph 47

⁵ Paragraph 80

scale of the housing challenge is so great. The Draft Plan's stance on the Green Belt is not supported.

Affordable Housing Needs

- 1.17 The London SHMA (2017) identifies that in recent years there has been a very low supply of affordable housing in the capital which has contributed to rising numbers of households who are either homeless or 'concealed' due to living as part of another household. The SHMA records that homelessness and rough sleeping in London have all increased sharply in the last five years, though there are recent signs that this growth may be levelling off.
- 1.18 The past under-supply of affordable housing in London, coupled with house price inflation, has placed inevitable pressure on housing in the surrounding South East authorities. More specifically, some London boroughs appear to be pursuing a policy of relocating housing clients to properties in authorities outside London where rents are cheaper. This can mean that more vulnerable households are separated from their families and support networks and additional pressure is placed on local community services.
- 1.19 The SHMA (2017) concludes that there is a need for approximately 65% of the future annual housing supply in London to be affordable (47% social rent/affordable rent and 18% intermediate tenures), equating to 43,500 affordable homes/year. Policy H5 of the Draft Plan sets a strategic target for 50% of all new homes to be delivered across London to be affordable. An omission from the Plan is how the 15% shortfall is to be bridged if affordable housing needs are to be met in full in accordance with NPPF paragraph 47. This matter needs to be addressed.

Wider South East

- 1.20 The Draft Plan contains a specific policy – Policy SD2 – about collaboration in the Wider South East (WSE). It states, amongst other things, that “the Mayor will work with WSE partners to find solutions to shared strategic concerns such as barriers to housing and infrastructure delivery”.
- 1.21 The Draft London Plan also invites “working with willing partners beyond London to explore if there is potential to accommodate more growth in sustainable locations outside the capital” (paragraph 2.3.5). The Plan states that this would be focused on “locations which are (or are planned to be) well connected by public transport and where development can meet local growth aspirations as well as wider requirements. Recognising that investment in public transport can often bring significant benefits to wider areas, such partnerships could focus on optimising rail capacity between London and the wider region and beyond. Another area of focus could be proposals for new/garden settlements with good links to London” (paragraph 2.3.5). The Plan states that the Mayor will work with ‘key willing partners’, including local authorities, to explore strategic growth opportunities where planning and delivery of strategic infrastructure (in particular public transport) improvements can unlock development that supports the wider city region.

- 1.22 In this context, the Draft London Plan identifies 13 initial strategic infrastructure priorities in the WSE. For ease, the diagram showing the location of these schemes is included in Appendix 2. None of these identified schemes directly serve either this borough or the wider west Kent/mid Kent area. For Maidstone residents, the Lower Thames Crossing (No. 8 on the diagram) will facilitate travel around London by avoiding the need to use the Dartford crossing, rather than improve connections into London. The Elizabeth Line extension (No. 7) (Crossrail) will improve London- North Kent connections.
- 1.23 This selection of infrastructure priorities would not significantly upgrade this borough's public transport connections with the capital. It is considered that very substantial sustainable transport infrastructure would need to be secured to support any decision for this borough to accept additional strategic growth from London, on top of that which will be ascribed to the borough using the new standardised methodology⁶. In these circumstances, it is not proposed that the response to the Draft Plan identify this Council as a 'key willing partner' to for additional growth to support the wider city region.

Gypsy & Traveller Accommodation

- 1.24 Policy H16 of the Draft Plan proposes a definition of Gypsies & Travellers for the purposes of planning which is more expansive than that set out in Planning for Traveller Sites (PTS) to include those who have permanently ceased to travel. The GLA is concerned that the Government's definition of Gypsies and Travellers fails to recognise the needs of many ethnic Gypsies and Travellers, namely those who have ceased to travel permanently, those who live in bricks and mortar and those who are no longer travelling because of education, health or old age. The Draft Plan states that the Government's definition results in Gypsies and Travellers not being counted in needs assessments.
- 1.25 The proposed response in Appendix 1 supports Draft Plan Policy H16 which directs London boroughs to plan to meet the need for permanent pitches in full. The response also notes that the different basis for assessing needs is likely to be challenged if individual London boroughs make approaches to authorities outside London under the Duty to Co-operate to accommodate their unmet needs for Gypsy & Traveller pitches.

2. AVAILABLE OPTIONS

- 2.1 There are two options available to the Committee. The first is that the Committee decides to submit a response to the Draft London Plan consultation. The second, alternative option is that no response is made.
- 2.2 Electing to submit a response will ensure that MBC's position and interests are brought to the attention of the GLA as it progresses its Plan and could influence its content. To not make such a submission would be a missed

⁶ Currently estimated at 1,236 dwellings/year (24,600 over 20 years)

opportunity for MBC to engage positively with the preparation of a the key strategic land use plan for Greater London.

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

3.1 For the reasons set out in paragraph 2.2 above, the submission of the response in Appendix 1 is recommended.

4. RISK

4.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

5.1 The consultation closes Friday 2nd March. The next step will be the formal Examination in Public which is expected to be held in Autumn 2018. The Examination Panel will produce a report recommending changes to the Plan which the Mayor will decide whether to accept or reject. Assuming the Secretary of State is content at that stage with the revised Plan, the London Assembly will take the final decision whether to accept or reject it.

6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	We do not expect the recommendation will by itself materially affect achievement of corporate priorities.	Rob Jarman, Head of Planning & Development
Risk Management	Please see 'risks' section.	Rob Jarman, Head of Planning & Development
Financial	The proposal set out in the recommendation can be achieved within already approved budgetary headings and so need no new funding for implementation.	Paul Holland – Senior Finance Manager (Client)
Staffing	We can deliver the recommendation	Rob Jarman,

	with our current staffing.	Head of Planning & Development
Legal	<p>The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.</p> <p>Whilst the GLA area does not adjoin MBC, it is considered prudent to engage positively with the preparation of the London Plan to (a) ensure MBC's interests are communicated and (b) help understand the implications of the Plan's proposals for this borough.</p>	Cheryl Parks Lawyer (Planning), Mid Kent Legal Services
Privacy and Data Protection	No specific issues are identified at this stage.	Cheryl Parks Lawyer (Planning), Mid Kent Legal Services
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	[Policy & Information Manager]
Crime and Disorder	N/A	Rob Jarman, Head of Planning & Development
Procurement	N/A	Rob Jarman, Head of Planning & Development & Section 151 Officer

7. REPORT APPENDICES

- Appendix 1: MBC response to the Draft London Plan (2017)
 - Appendix 2: extract from the Draft London Plan – Strategic Infrastructure Priorities
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8. BACKGROUND PAPERS

Draft London Plan (December 2017) <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/download-draft-london-plan-0>

Draft London Plan evidence base
<https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/evidence-base>