

EXAMINATION OF THE FURTHER ALTERATIONS TO THE LONDON PLAN

The final matters to be considered at the Examination in Public (EiP) and the persons and bodies invited to participate.

Introduction

1. On 10 June 2014 the Inspector, in accordance with Regulation 8(2) of the Town and Country Planning (London Spatial Development Strategy) Regulations 2000 (the Regulations) published a draft list of the matters to be examined and the persons who may be invited to take part in the EiP.
2. The EiP is not an inquiry into objections but an examination of the Further Alterations carried out in the context of the Greater London Authority Act 1999 and the Regulations. Section 338(4) of the Act states that the matters to be examined; *'shall be such matters affecting the consideration of the spatial strategy as the person or persons conducting the examination in public may consider ought to be examined'*. The Inspector has considered all the responses to the draft list of matters and attendees. The final list of matters he considers should be examined and participants is set out below. **If you are listed but no longer wish to participate please inform the EiP Secretariat by 11 August 2014.**
3. A number of representors have commented on parts of the London Plan which are not proposed to be changed through the Further Alterations and/or propose additional changes. Unaltered policies text, tables, maps and figures are not subject to the EiP. Consequently, unless it appears to the Inspector that a proposed alteration has implications which suggest that another part of the London Plan may need to be changed; unaltered policies etc will not be examined.
4. No person has the right to be heard at the EiP (section 338[6] of the Act). At the end of each set of questions is a list of those persons or bodies invited to participate at that session. In drawing up that list the Inspector has had regard to the representations made to the consultation on the Further Alterations which took place between 15 January and 10 April 2014 and the responses to the draft list of matters and participants. The list of participants includes only those persons and bodies the Inspector considers made a representation relevant to the matters to be discussed and those persons or bodies he considers would assist him in his consideration of those issues.
5. All sessions are open to the public and any person not invited to participate may observe any session he or she wishes. Any person or body not invited to participate may make written submissions (subject to the limits set out below and in the Guidance Notes). **Written submissions carry the same weight as those made orally at the EiP.**

6. As previously stated in the Guidance Notes and at the Preliminary Meeting the deadline for further statements on these matters is 17.00 hours on 11 August. Late submissions will not be accepted. Detailed advice regarding statements is set out in the Guidance Notes those intending to submit further statements are reminded that:

- Statements should be brief; no longer than 2,000 words for each question and this a maximum limit, not a target
- Appendices must be kept to a minimum
- Statements exceeding the limits set above will be returned and a very short period will be allowed for editing (normally 24 hours).
- One electronic copy and four paper copies of each statement should be provided. One of the paper copies should be printed single sided and should not be stapled (for ease of photocopying by the Secretariat). The electronic version should preferably be in Word format and must match the paper copy exactly.

EiP Sessions

Session 1 – 14.00 Monday 1 September 2014

Duty to Co-operate

Section 33A of the Planning and Compulsory Purchase Act 2004 requires a local planning authority and/or a prescribed person to co-operate with local planning authorities and others in the preparation of development plan documents. The Mayor is a prescribed person under Regulation 4 of the Town and Country Planning (Local Planning)(England) Regulations 2012 and, if it is adopted, the FALP will become part of the development plan in London.

a. Does the duty to co-operate apply to the preparation of the FALP and if so has the Mayor complied with the duty co-operate?

Participants

Mayor/GLA	
Thurrock Council	143
Mole Valley DC/ Elmbridge BC*	148/90
Hertfordshire CC/ Hertsmere BC	151/72
Home Builders Federation	220
Gatwick Diamond Local Authorities Group/ East Sussex Local Authorities Group	269

*representing all Surrey councils & Surrey Planning Officers Association

Session 2 – 09.30 Tuesday 2 September & Wednesday 3 September

Housing

Due to the large number of participants this session is being split into two. See below for the list of participants for both days. Participants for

sessions 2a or 2b are welcome to observe the session they are not attending. It will still be necessary for certain parties to hot seat.

The National Planning Policy Framework (NPPF) requires local planning authorities to use their evidence base to ensure that their plans meet the full, objectively assessed needs for market and affordable housing in the housing market area. The 2013 Strategic Housing Market Assessment (SHMA) identifies a need for between 49,000 (2015-2036) and 62,000 (2015-2026) net additional homes per annum (dpa) across London but Policy 3.3 of the Further Alterations to the London Plan (FALP) sets a target of 42,000 dpa.

- a. Does the 2013 SHMA and the GLA's demographic projections provide a robust and full assessment of London's housing needs?
- b. Can London be described as one housing market area?¹
- c. The 2013 SHMA looks at housing needs at the regional level and states that 'London *boroughs remain responsible for assessing their own requirements, within the policy context set by the NPPF and the London Plan*'². What is the intended relationship between these targets and the requirement in paragraph 159 of the NPPF for local plan preparation? Also, is there a potential for tension between the requirement for Boroughs' Local Plans to be in conformity with the FALP and the requirements of paragraph 47 of the NPPF?
- d. The FALP at Table 3.1 sets minimum housing targets for Boroughs based on capacity not objectively assessed need.
 - i. Is the assessment of capacity (the Strategic Housing Land Availability Study) robust?
 - ii. Does the resulting distribution of new housing across London direct housing to where it is needed and accord with the objective of achieving sustainable development?
*The word limit for i & ii is 2,000 words each
- e. 42,000 dpa is set as a minimum figure but to what extent will Boroughs be able to augment delivery to '*close the gap between identified housing need and supply in line with the requirement of the NPPF*'?³
- f. Given the need to boost supply is the FALP justified in seeking to explore all avenues of supply including housing provided by the Private Rented Sector and identifying alternatives such as custom build? Also to encourage Boroughs to work with developers to release stalled sites?
- g. Should steps be/have been taken to attempt to meet some of London's housing needs outside the GLA's boundaries?
- h. How will the FALP ensure that the growth in housing is matched by the employment, retail, transport and other physical and social infrastructure necessary to serve and support it?

Participants – Tuesday Session 2a Local authorities
Mayor/GLA/TfL

¹ The SHMA at paragraph 1.13 would appear to accept that there are a number of housing market areas in London

² Paragraph 1.13

³ Policy 3.3Da

LB Barnet	15	
LB Bromley	18	
LB Camden	19	
LB Ealing	22	
LB Hackney	25	
LB Hammersmith & Fulham	26	
LB Haringey	27	
LB Harrow	28	
LB Havering	29	
LB Hillingdon	30	
LB Hounslow	31	
LB Islington	32	
RB Kingston	34	
LB Lambeth	35	
LB Lewisham	36	
LB Newham	38	
LB Redbridge	39	
LB Southwark	41	
LB Sutton	42	
LB Tower Hamlets	43	
LB Waltham Forest	44	
LB Wandsworth	45	
City of Westminster	46	
Uttlesford DC	71	
Thurrock Council	143	
Mole Valley DC/ Elmbridge BC*	148/90	
Hertfordshire CC/Hertsmere BC	151/72	
Chelmsford City Council	154	
SE England Councils	245	
Norfolk and Suffolk County Councils	249	
Bedford Borough Council	257	
Luton Borough Council	263	
Gatwick Diamond Local Authorities Group/ East Sussex Local Authorities Group	269	

*representing all Surrey councils & Surrey Planning Officers Association

Participants – Wednesday Session 2b Other parties

Mayor/GLA/TfL	
London Assembly	3
London Assembly Labour Group	8
London Forum	51
Westminster Property Association	81
Wells House Rd Residents Association	91
London Tenants Federation	93
Hallam Land Management	127
Mario Petrou	135
London Sustainable Development Commission	153
CPRE	166
Charles Church Ltd	171
Ealing Fields Residents Association	177

Brent Cross Cricklewood Development Partners	192	
Town & Country Planning Association	215	
Home Builders Federation	220	
Provewell Estates	230	
London Diocesan Fund	237	
West Ealing Centre Neighbourhood Forum	244	
Kennington Oval and Vauxhall Forum	284	
Gladman Developments Ltd	285	
Ealing Civic Society	287	
Friends of the Earth	292	
Our Tottenham Planning Policy Working Group	302	
Just Space OR Just Space Economy & Planning Group	304/195	
Canary Wharf Group plc	313	
Carraig Investments Sarl	317	

Session 3 – 09.30 Thursday 4 September

Affordable housing and housing for the elderly

- a. The SHMA identifies a need for 25,600 affordable dwellings per year but the FALP only increases the target for the provision of affordable housing from an annual average of 13,200 to 17,000 affordable homes per year. This is clearly a step in the right direction but is it achievable and could more be done to meet the need for affordable housing?
- b. Are the income thresholds for intermediate housing justified by evidence and appropriate? Why, if Boroughs wish to set lower eligibility criteria, should they be limited to doing so for only 3 months from the point of initial marketing?
- c. Does the FALP make adequate provision for those with special needs? Are the benchmarks for the provision of specialist housing for older people based on robust evidence and appropriate?⁴

Participants

Mayor/GLA [2 seats]	
London Assembly Labour Group	8
LB Camden	19
LB Islington	32
RB Kingston	34
LB Lewisham	36
LB Southwark	41
LB Wandsworth	45
City of Westminster	46
London Forum	51
The Ladywell Society	87
London Tenants Federation	93
35% Campaign	96
Thurrock Council	143

⁴ Table A5.1

LSDC	153
London Federation of Housing Co-ops	199
TCPA	215
Home Builders Federation	220
Queen Mary University of London	277
Stonewall Housing	303

Session 4 – 14.00 Thursday 4 September

Housing, other matters

- a. Does the FALP strike the right balance between increasing densities on large sites, sites in town centres and sites close to public transport nodes and;
 - i. Respecting the character and appearance of the surrounding area?
 - ii. Providing a range of types and size of accommodation to meet the needs of families and those with particular needs such as the elderly?

*The word limit for i & ii is 2,000 words each
- b. Is the anticipated need for between 20,000 and 31,000 new places for students based on robust evidence?
- c. Is a policy which aims to disperse students away from their seats of learning sustainable?
- d. How will affordability (for students) be determined and how will affordable housing for students be delivered and retained?

Participants

Mayor/GLA [2 seats]	
LB Camden	19
LB Harrow	28
LB Hillingdon	30
RB Kingston	34
LB Lewisham	36
LB Sutton	42
London First	52
Berkeley Group	58
Cass & Claredale Halls of Residence Association Ltd	69
Kingston University	70
University of London	82
University College London	98
London Higher	106
British Property Federation	186
Skyline Campaign	209
Town & Country Planning Association	215
Network Rail	247
London Community NC	251
Unite Group Plc	256
Kennington, Oval & Vauxhall Forum	284

National Union of Students	293	
Waterloo Community Development Group		279
Just Space	304	

Session 5 - 14.00 Monday 8 September

Minerals and waste

- How will the proposed changes contribute to the aim of waste self sufficiency? Is the aim to have no biodegradable or recyclable waste sent to landfill by 2026 achievable? How will it be done?
- Is the FALP sufficiently clear and consistent in its terminology and definitions relating to waste?
- Are the estimates set out in Table 5.4 supported by evidence and achievable?
- Are the key milestones set out in Table 5.2 supported by evidence and achievable?
- Is the carbon intensity floor target supported by evidence and technically and financially feasible?

Participants

Mayor/GLA [2 seats]	
London Assembly	3
London Assembly Labour Group	8
LB Ealing	22
LB Hammersmith & Fulham	26
LB Hillingdon	30
LB Lambeth	35
LB Sutton	42
LB Tower Hamlets	43
European Metal Recycling (EMR)	88
Thurrock Council	143
East of England WTAB	167
South East Waste PAG	168
North London Waste Plan	169
Cory Environmental	214
Norfolk and Suffolk Councils	249
North London Waste Authority	265
Sita UK Ltd	283
London RTAB	323

Session 6- 09.30 Tuesday 9 September

Employment

The NPPF sets out the Government's commitment to ensuring that the planning system does everything it can to support sustainable economic growth. It also states that local planning authorities should plan to meet the development needs of business.

- a. At paragraph 1.24 the FALP predicts that the number of jobs could increase from 4.9m in 2011 to 5.8m in 2036. Is this forecast justified and does the FALP create the right conditions to facilitate this growth?
- b. Do the changes proposed demonstrate, as required by the NPPF, a clear understanding of business needs within the economic markets operating in and across London?
- c. Is Policy 4.3 (as proposed to be altered) justified in seeking to protect small scale offices in the CAZ and require proposals which would result in the loss of office space in the CAZ to contribute to the provision of new office space within or nearby the development?
- d. Does the FALP provide the necessary infrastructure to support business, particularly with regard to power, transport and digital connectivity?
- e. Paragraph 4.23 encourages the release of surplus industrial land around public transport nodes to enable the provision of high density development for housing. However, these sites may be the most suitable/attractive to employers so is there a danger that this policy may deter investment and hinder the delivery of new employment?⁵

Participants

Mayor/GLA/TfL	
London Assembly	3
London Assembly Regeneration Committee	5
Mayor's Design Advisory Group	6
London Assembly Labour Group	8
Navin Shah AM	9
LB Barnet	15
LB Haringey	17
City of London	20
LB Harrow	28
LB Hillingdon	30
LB Hounslow	31
LB Hammersmith & Fulham	36
London Forum	51
London First	52
Berkeley Group	58
Westminster Property Association	81
London Sustainable Development Commission	153
London Thames Gateway Forum	175
Peckham Vision	206
Grosvenor	207
Network Rail	247
Dr Jessica Ferm	254
Our Tottenham PPWG	302
Just Space OR Just Space EPG	304/195
Carraig Investments Sarl	317

⁵ Also the Plan at paragraph 1.28 says that making sure that Londoners can get better access to the jobs in their city will be a key priority.

Session 7 – 09.30 Thursday 11 September

Retail & Town Centres

National guidance states that planning policies should promote competitive town centre environments and set out policies for the management and growth of centres.

- a. The FALP at paragraph 4.40 identifies a need for between 0.4 to 1.6 million m² of comparison goods retail floorspace by 2036. Is this based on robust evidence and does the FALP provide an adequate steer with regard to the location of this new floorspace?
- b. The FALP envisages a structural change in retail provision driven largely by changes in the way people shop (internet, multi channel shopping etc) and leading to, amongst other things, the expansion or strengthening of some centres and the decline of others. Are the proposed alterations to Policies 2.15, 4.7 and 4.8 (and the supporting reasoned justification) sufficient to manage these changes particularly where centres are declining to ensure that they remain viable and vital? (commensurate to their function and place in the hierarchy).
- c. Are the changes to the status of the centres highlighted or ~~struck through~~ in Table A2.1 justified by evidence? (Including Policy Directions and Office Guidelines)
- d. The NPPF states that residential development can play an important role in ensuring the vitality of town centres. In promoting high density residential development in town centres should Policy 2.15c recognise that this should not be at the expense of the viability and vitality of town centres?
- e. Should public houses be specifically mentioned in Policy 4.8Bc?

Participants

Mayor/GLA/TfL	
London Assembly	3
Mayor's Design Advisory Group	6
Steve O'Connell AM	7
London Assembly Labour Group	8
Navin Shah AM	9
LB Barnet	15
LB Bromley	18
LB Camden	19
LB Ealing	22
LB Enfield	23
LB Harrow	28
LB Havering	29
LB Hillingdon	30
LB Islington	32
RB Kingston	34
LB Lambeth	35
LB Lewisham	36
LB Redbridge	39
LB Southwark	41

LB Sutton	42
LB Tower Hamlets	43
LB Wandsworth	45
London Forum	51
London First	52
CAMRA (Greater London region)	73
Orpington 1 st	75
Consortium of London Developers	140
Peckham Vision	206
Westfield Shopping Towns Ltd	235
Waterloo CDG	279
East End Trades Guild	288
Earls Court Properties Ltd	299
Just Space OR Just Space EPG	304/195
Wards Corner Community Coalition	324

Session 8 – 14.00 Thursday 11 September

Transport

The FALP’s transport policies have a key role in delivering the housing and jobs planned for the capital and achieving sustainable development.

- a. Why has the promotion of electric vehicle charging points been removed from paragraph 6.8?
- b. Will the amendments to Policy 6.9 and the associated alterations deliver the step change in cycling provision and encourage growth in cycling?
- c. Are the standards and specifications for cycle parking supported by evidence and appropriate?
- d. What is meant by pedestrian amenity? (Policy 6.10Cd).
- e. Are the standards for car parking spaces justified, supported by evidence and appropriate for the whole of London?

Participants

Mayor/GLA [2 seats]	
DCLG	2
London Assembly	3
London Assembly Labour Group	8
Navin Shah AM	9
LB Barnet	15
LB Bromley	18
LB Ealing	22
LB Harrow	28
LB Havering	29
LB Hillingdon	30
LB Hounslow	31
LB Islington	32
RB Kingston	34
LB Lambeth	35
LB Lewisham	36

LB Newham	38
LB Redbridge	39
LB Southwark	41
LB Sutton	42
LB Wandsworth	45
London Forum	51
London First	52
Berkeley Group	58
University of London	82
UCL	98
London Travelwatch	134
Thurrock Council	143
London Cycling Campaign	149
Sustrans	178
The Crown Estate	179
Croydon Limited Partnership	233
Westfield Shopping Centres Ltd	235
Unite Group Plc	256
Ealing Civic Society	287
Ralph Smyth/CPRE	291/166
Friends of the Earth	292
Just Space	304
Campaign for Better Transport	305
Living Streets	306
Hayes CDF	311
Canary Wharf Group Ltd	313

Session 9 – 09.30 Friday 12 September

Climate Change, flood risk and water management

Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change⁶.

- a. Should there be a size threshold above which developments should provide energy infrastructure to enable demand side management?⁷
- b. Policy 5.4A is criticised by some representors but is it not just sensible strategic planning for the provision of electricity and gas to support London's growing needs?
- c. At paragraph 5.55 the FALP briefly sets out the measures that will be required to improve London's flood defences. Has the impact of the need to leave room to raise river walls, safeguard land and set back development been taken into account in the Strategic Housing Land Availability Assessment and assessment of employment and other needs?
- d. How will the proposed retro fitting of water efficiency measures to existing homes and workplaces be delivered? (Paragraph 5.61)

⁶ NPPF, paragraph 94

⁷ Paragraph 5.22a

Potential participants

Mayor/GLA [2 seats]		
LB Barnet	15	
LB Ealing	22	
LB Haringey	27	
LB Hillingdon	30	
LB Lambeth	35	
Environment Agency	48	
London Forum	51	
Thames Water	66	
Thurrock Council	143	
London Sustainable Development Commission		153
Friends of the Earth	292	
Home Builders Federation	220	

Session 10 – 14.00 Monday 15 September

Implementation

Although referring to Local Plans the NPPF states that to be sound a plan has to be effective and its aims and objectives should be deliverable.

- a. Should the FALP be clearer in setting out the circumstances in which a Mayoral Development Corporation would be established? (Policy 8.1)
- b. The NPPF advises at paragraph 173 that development identified in a plan should not be subject to such a scale of obligations and policy burdens that its ability to be developed viably is threatened. Has the implications of the policies and requirements in the FALP on the viability of new development been assessed?

Participants

Mayor/GLA/TfL	
LB Hammersmith & Fulham	26
LB Waltham Forest	44
Berkeley Group	58
Soditic Limited	239
Unite Group Plc	256
Secondary Modern CO	270
Friends of the Earth	292
Just Space	304
Communities and Homes in London Ltd	315

Session 11 – 09.30 Tuesday 16 September

London's Living spaces and Places

2. The NPPF at paragraph 69 recognises that planning can play an important role in facilitating social interaction and creating healthy, inclusive communities.

- a. The principles underpinning Lifetime Neighbourhoods are to be supported but is it necessary, appropriate or possible for the FALP to seek to define what makes a neighbourhood? (Policy 7.1 and paragraph 7.4A)
- b. Does the aim of 7.4A(2) to create neighbourhoods with places to spend time and work conflict with Policy 7.15's objective of minimising the impact of noise and improving the acoustic environment?
- c. Should 7.4A(3) also recognise diversity?
- d. To what does paragraph 7.6B refer when it says that Community Rights provide '*an alternative route to the usual planning process*'?
- e. What is meant by the sustainable management of the works to enhance the public realm? Would this be secured through CIL?
- f. Should Policy 7.15 be clearer regarding what may be considered to be '*unreasonable restrictions on development*' and '*adding unduly to the costs of administrative burdens of business*'? How will Policy 7.15b be achieved?
- g. In the tight knit urban areas of the city is it possible to separate new noise sensitive development from major noise sources? (Policy 7.15d)
- h. Are there any truly quiet areas to identify, protect or nominate (Policy 7.15 c & Cb)
- i. In what circumstances would you deliberately introduce noise? (paragraph 7.52)
- j. Open space provides more than just a place for recreation. Should Policy 7.18C also seek to protect private open space which makes a positive contribution to an area?

Participants

Mayor/GLA [2 seats]	
Mayor's Design Advisory Group	6
London Assembly Labour Group	8
LB Barnet	15
LB Bromley	18
LB Ealing	22
LB Harrow	28
LB Havering	29
LB Islington	32
LB Lambeth	35
LB Lewisham	36
LB Southwark	41
London Forum	51
CPRE	166
Ealing Fields RA	177
Alan Haughton (HACAN East)	196
Selby Trust	203
Just Space	304
Carraig Investments Sarl	317

Session 12 – 09.30 Thursday 18 September

Opportunity Areas

A number of representors raise issues regarding Opportunity Areas generally or propose new Opportunity Areas. The principle of Opportunity Areas is established and new Opportunity Areas are outside the remit of this examination. This session will address issues specific to the additional Opportunity Areas proposed by the Further Alterations and the list of participants is limited to those representors who made site specific comments on them.

The following questions only apply to the opportunity areas which are affected by the proposed alterations. These are:

- No.2, Bromley
- No.5, City Fringe/Tech City
- No.19, Kings Cross/St Pancras
- No.24, Old Kent Road
- No.27, Old Oak Common

The following questions will be addressed in turn for each opportunity area

- a. Is the type and level of development appropriate and can it be delivered?
- b. Have the impacts of the level of new development planned in the opportunity areas on surrounding areas, including implications on existing and planned infrastructure been taken into account?

Participants

Mayor/GLA/TfL	
LB Bromley	18
LB Hammersmith & Fulham	26
LB Harrow	28
LB Hillingdon	30
LB Hounslow	31
LB Islington	32
LB Kensington & Chelsea	33
London Forum	51
Friends of the Scrubs	85
Wells House Road RA	91
Judith Olley	141
Pat Turnbull	147
Midland Terrace and Shaftesbury RA	208
Lynette Hollander	222
Westfield Shopping Towns Ltd	235
Soditic Limited	239
Network Rail	247
Waterloo CDG	279
East End Trades Guild	288
Just Space	304