

# BRIEFING



London Plan Alterations Have Now Been Adopted

26 February 2008

## London Plan Alterations

The Alterations to the London Plan have now been adopted. The new London Plan, consolidated with changes since 2004, can be found at: <http://www.london.gov.uk/thelondonplan/> .

The consolidated London Plan reflects changes recommended by the Panel Reports of the Examinations in Public (EIP) of the Alterations and Further Alterations stages.

A number of changes have been made to the London Plan reflecting representations from the HBF and other developer interests. The changes are fairly minor and the GLA has accepted most of the EIP Panel's recommendations. The following note concentrates on the key changes of interest to housebuilders. It is divided into two key sections: housing and climate change. A very brief summary of key points is provided at the beginning of each section.

Those changes relating to housebuilding and recommended by the EIP Panel Report on the Further Alterations but which were not accepted are summarised at the end of this briefing.

## Housing

### Summary

There are fewer changes in this section than the one addressing climate change policies. The key change to note is the lowering of the site threshold to trigger affordable housing from 15 or more to 10 or more dwellings (Policy 3A.11)

### Policy 3A.1 Increasing London's Supply of Housing

The wording has been tightened requiring boroughs to *exceed* the London Plan target of 30,500 additional homes by 2017 and *promote* policies to achieve this. It now reads:

*"The minimum target for housing provision is 30,500 additional homes...The Mayor will, and boroughs should, promote policies that seek to achieve and exceed this target."*

## **Policy 3A.2 Borough Housing Targets**

The HBF had called for the deletion of the word 'surplus' in connection with industrial land to encourage the release of more such land into residential use, but this was not adopted.

### **Paragraph 3.13**

This has been changed to reflect the publication of the Mayor's Housing SPG in November 2005.

### **Paragraph 3.16**

Paragraph 3.16 is a new addition which relates to the critical issue of the need to provide infrastructure to support housebuilding. The HBF supported the introduction of this new paragraph which reads:

*'The full delivery of these targets must be related to the provision of adequate transport, utility (see also Policies 4A.16, 17 and 18) and social infrastructure, and affordable housing. The provision of social infrastructure in close proximity to housing developments will also reduce the need to travel. SRIFs (Sub-Regional Infrastructure Frameworks) will provide information on social infrastructure provision. Boroughs should also undertake social infrastructure assessments (see Policy 3A.18 and also Policy 3A.7 for large residential developments).'*

### **Paragraph 3.17**

Introduced at the request of the HBF and other developers, this is a new paragraph which serves as a caveat to the former, calling for an adequate assessment of development viability so that unreasonable infrastructure demands do not act as a brake on housebuilding. The new paragraph reads:

*'The delivery of these targets will be affected by market factors; consequently these targets will be reviewed on a five yearly basis (see also Policy 6A.8).'*

### **Paragraph 3.18**

This is a new paragraph reflecting the HBF's comments that boroughs should be required to demonstrate a 10 year housing output trajectory. The new paragraph reads:

*'In accordance with government guidance on regional and local planning, boroughs will be required to demonstrate a housing output trajectory for achieving the annual average over the 10 year period.'*

The HBF had also asked for text to be added requiring borough policies to be reviewed (and retired) if these were found to be obstructing housing delivery but this was not reflected in the alterations.

### **Paragraph 3.19 (previously para. 3.15)**

This has been amended slightly to include a reference to the *Barker Review of Housing Supply*.

### **Paragraphs 3.20-3.21**

These are two new paragraphs which outline how the Mayor will expect DPDs to reflect the London density matrix (table 3A.2 of the London Plan) to maximise housing delivery.

Usefully, the last sentence of para.3.21 makes clear that the form of housing development should respond to housing requirements (affordable housing need *and* market signals) and not design considerations. As it says (albeit somewhat opaquely):

*'The form of housing output should be determined primarily by an assessment of housing requirements and not by any assumption as to the built form of the development.'*

### **Policy 3A.6 Quality of New Housing Provision**

A new policy has been introduced on page 71 which reads as follows:

*'Residential development should take account of the design and construction policies set out in Chapters 4A and 4B, and the density requirements of Policy 3A.3 and their implications for bedroom numbers per dwelling.'*

*Residential development should have regard to Policy 3D.13 on play and informal recreation provision for children and young people.*

*Design of residential development should take into account the safety and security of residents.*

*Residential development should have regard to the Mayor's Supplementary Planning guidance on sustainable Design and Construction (also see Chapter 4A).'*

### **Policy 3A.7 Large Residential Developments**

The policy (previously Policy 3A.5 on page 59) has been revised, with boroughs now required to prepare planning frameworks for all large residential sites of 5 hectares or more in size. This is down from 10 hectares in the earlier London Plan. As before, boroughs are still required to prepare planning frameworks for any scheme accommodating more than 500 dwellings.

As before, the policy states that planning frameworks should be prepared in consultation with local communities and other key stakeholders.

### **Paragraph 3.33 (previously para. 3.23)**

Members should note that the provision of children's play-space and social care facilities have been added to the catalogue of community services that may need to be factored into any large scale development.

### **Paragraph 3.34 (previously para. 3.24)**

This paragraph has been slightly revised, adding a clause that residential schemes should avoid having an adverse impact on European biodiversity sites, either directly or indirectly. This will include assessing the increased recreational pressure on such sites.

### **Policy 3A.8 Definition of Affordable Housing**

Reference to 'low-cost market' housing has been deleted from the definition of affordable housing.

### **Paragraph 3.46 (relating to increasing the supply of affordable housing. Previously para. 3.37)**

This paragraph, previously 3.37 has been re-drafted with reference dropped to output of affordable housing being contingent upon identifying and bringing forward additional sources of capacity (meaning land) which had been included in the earlier paragraph. Is this an innocent omission, reflecting the completion of the London Housing Capacity Study? Or is this intended to suggest that the delivery of affordable housing is the overriding housing priority and higher quotas should be demanded on all development sites?

### **Paragraph 3.48 (previously para. 3.39)**

The paragraph has been subtly re-drafted and now omits the reference to affordable housing targets being sensitive to the economic and social circumstances of different parts of London. Instead it says that affordable housing targets must be sensitive to the economic and social circumstances of London as a whole. This reinforces the message in the *Mayor's Draft Housing Strategy* that affordable housing should not be concentrated in certain, usually more deprived, areas, but distributed more equally (see also paragraph 3.57 of this Consolidated London Plan).

### **Policy 3A.10 Negotiating affordable housing in individual private residential and mixed-use schemes**

The policy is unchanged: targets must be applied flexibly with regard to individual sites costs, availability of public subsidy and other scheme requirements (e.g. s106).

Supporting paragraphs 3.52 and 3.53 remain substantively the same.

### **Policy 3A.11 Affordable housing thresholds**

This is a new London Plan policy bringing to the fore what had previously been supporting text at paragraph 3.46 of the old London Plan. But importantly, the policy also amends the site threshold which will trigger affordable housing, lowering this from 15 to 10 units. Thus the new policy reads:

*'Boroughs should normally require affordable housing provision on a site which has the capacity to provide 10 or more homes, applying the density guidance set out in Policy 3A.3 of this Plan and Table 3A.2.'*

*Boroughs are encouraged to seek a lower threshold through the DPD process where this can be justified in accordance with government guidance.'*

### **Policy 3A.13 Special needs and specialist housing**

This is substantively the same as the earlier London Plan policy 3A.10.

### **Policy 3A.15 Loss of housing and affordable housing**

The policy is unchanged.

## **Climate Change**

### **Summary**

The policies and supporting text of this section have been significantly changed and expanded. It bears little similarity to the 2004 plan. Chief among the changes of concern for housebuilders is the requirement to meet higher sustainable design and construction standards (Policy 4A.3), the need to ensure developments feed into decentralised energy supplies (Policies 4A.5 and 4A.6) and the requirement to deliver 20% renewable energy on site (Policy 4A.7).

### **Policy 4A.1 Tackling climate change**

This policy brings to the fore and expands upon the previous policy 4A.7: energy efficiency and renewable energy. The new policy requires boroughs through their DPDs to ensure that developments make the fullest contribution to the mitigation of climate change and to minimise emissions of carbon dioxide. The following hierarchy will be used by boroughs and the Mayor to assess applications:

- Using less energy, in particular by adopting sustainable design and construction measures
- Supplying energy efficiently, in particular by prioritising decentralised energy generation
- Using renewable energy

Each level in the hierarchy has its own supporting policy.

The policy describes how contributions should reflect the context of each site.

### **Paragraph 4.9**

Describes that there is a presumption that targets will be met in full except where developers can demonstrate that there are compelling reasons for the relaxation of the targets (i.e. site viability).

## **Policy 4A.2 Mitigating climate change**

This is a new policy. The Mayor will work towards the long-term reduction of CO<sub>2</sub> by 60% by 2050 by setting the following minimum reduction targets against a 1990 base:

- 15% by 2010
- 20% by 2015
- 25% by 2020
- 30% by 2025

The targets will be monitored and kept under review. These targets had previously been included in the Mayor's Energy Strategy. This reduction will be achieved by Policy 4A.7 (concerning 20% on site renewable energy generation. See below).

### **Paragraph 4.11**

The Mayor believes *all* development should contribute fully towards the achievement to these targets.

## **Policy 4A.3 Sustainable design and construction**

This policy brings together a range of separate policies in the earlier London Plan. It describes how DPD policies will be utilised to spell out how Boroughs will expect developments to meet the highest standards of sustainable design and construction.

Major applications will be required to submit a Sustainable Design and Construction Statement.

## **Policy 4A.4 Energy assessment**

Major developments will need to demonstrate the expected carbon emission savings from energy efficiency and renewable energy measures. This assessment should form part of the Sustainable Design and Construction Statement.

## **Policy 4A.5 Provision of heating and cooling networks.**

This is a new policy requiring boroughs to ensure that all new development is designed to connect to the heating and cooling network (CHP/CCHP).

## **Policy 4A.6 Decentralised Energy: Heating, Cooling and Power**

A new policy requiring all developments to demonstrate that their heating, cooling and power systems minimise CO<sub>2</sub> emissions, with the following order of preference:

- Connecting to existing CHP/CCHP networks
- Site wide CCHP/CHP powered by renewable energy
- Gas fired CCHP/CHP or hydrogen fuel cells
- Communal heating fuelled from renewables
- Gas fired communal heating and cooling

### **Policy 4A.7 Renewable Energy (previously Policy 4A.10)**

The policy introduces a presumption that developments will achieve a reduction in carbon dioxide emissions of 20% from on site renewable energy generation unless it can be demonstrated that this is unfeasible.

### **Policy 4A.9 Adaptation to Climate Change**

This policy promotes adaptation to climate change. It is underpinned by a series of specific supporting policies (such as a policies to minimise urban heat island effect; and flood risk).

### **Policy 4A.10 Overheating**

Developers will be required to consider measures to minimise the urban heat island effect through better design and energy efficiency.

### **Policy 4A.11 Living Roofs and Walls**

New policy. Developers will be encouraged through DPD policies to incorporate living roofs and walls.

### **Policy 4A.12 Flooding**

Boroughs will be required through the LDF to carry out strategic flood risk assessments to identify locations suitable for development, having regard for PPS25 in flood zones.

### **Policy 4A.14 Sustainable Drainage**

This is a new policy requiring Boroughs to consider water drainage (and reuse) measures and to promote their adoption in developments.

### **Policy 4A.16 Water Supplies and Resources (previously 4A.11)**

This policy expands upon the previous one and encourages the conservation and reuse of water in developments. The Mayor and the Boroughs are encouraged to apply a maximum water use target of 105 litres per person per day for residential development, gradually adjusting this to take account of the prevailing standards in the Code for Sustainable Homes.

## **Substantive Recommended Changes Which Were Not Fully Accepted** (insofar as they relate to housing)

### **Climate Change**

The GLA did not accept the recommendation to promote energy efficiency in new homes to a level equivalent to Code Level 3 by 2010, Level 4 by 2013 and Level 6 by 2016 since this misunderstood the technicalities of how the Code operated (the

energy efficiency component could not be separated from low or zero carbon energy generation measures when calculating the Code). It was therefore incapable of implementation.

## **Housing**

The Panel recommended that a clause be added to the end of Policy 3A.1: *Increasing London's Supply of Housing* calling for the Mayor, when reviewing performance in 2011, to take fully into account the requirements of PPS3 (thus issues of market need, land supply and viability). The GLA felt this to be unnecessary since all RSSs were already required to take PPS3 into account.

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