



THE NEW LONDON PLAN

A submission to the Examination in Public on Matter M8

1. This submission supplements our previous [response](#) to the draft London Plan, made in March 2018.
2. The GLA has since made its own ‘minor modifications’ to the Draft London Plan in advance of the Examination in Public. These modifications include a number of our proposed wording changes.
3. We wish to seek further changes via the Examination in Public. Our aim is for the final London Plan to be more supportive of neighbourhood planning and to recognise the contribution that this community-led layer of the national planning system can make.
4. The schedule at the back of this submission proposes further specific modifications on all the Matters on which we have been invited to contribute.

The London Plan – a strategic role

5. We are conscious of the distinct role played by the London Plan as the mechanism for the Mayor to fulfil his responsibility to produce a ‘spatial development strategy’ and to keep it under review. We are especially aware of the need for both Borough Local Plans and neighbourhood plans to be ‘in general conformity’ with ‘strategic policies’ in the London Plan.
6. Apart from being a plan at a regional level rather than for a smaller area, the London Plan is prepared and adopted under different legislation than that which applies to Borough Local Plans (the Greater London Authority Act 1999 as amended, and supporting regulations). Under this legislation, as we understand, the London Plan should deal only with matters of *strategic* importance to Greater London.
7. We note that Secretary of State James Brokenshire in his [letter to the Mayor of London of 27 July 2018 required that the new London Plan be examined for conformity with the 2012 rather than 2018 NPPF. We also note that](#) ‘early review’ of the new London Plan may be required if London’s contribution to national housing targets is not achieved. The letter also stated that:
 - *The detail and complexity of the policies within the draft London Plan have the potential to limit accessibility to the planning system and development.*
 - *The draft Plan strays considerably beyond providing a strategic framework*

8. Our network of neighbourhood planners across London has been invited to address three questions on matters M7, M8 and M9. We address Matter M8 in this submission.

Matter M8. Given the legal requirement for the Mayor to have regard to the need to ensure that the Plan is consistent with national policies, is it justified for certain policies to deviate from national policy and guidance?

9. Our understanding is that the term ‘*have regard to*’ (as used in the GLA Act) is legally weaker than ‘*generally conform with*’ as used in relation to Local Plans and neighbourhood plans. It is possible to ‘*have regard to*’ a national policy while making a well-justified case for variation at London level.

10. The Secretary of State has warned the Mayor of London (in the July 2018 letter) that certain policies in the consultation version of the London Plan ‘*are inconsistent with national policy, such as your policies allowing development on residential gardens and your policy on car parking*’.

11. We believe it is similarly important for the London Plan to leave scope for neighbourhood plans to bring forward innovative policies, by avoiding the constraints of ‘*conformity*’ that could arise from over-detailed or prescriptive policies.

MODIFICATIONS SUGGESTED IN THIS FINAL SUBMISSION TO THE EIP

Proposed modifications shown in bold/italic text

Add additional new paragraph 1.1.6 as shown in bold	<i>Neighbourhood plans are the most local part of the planning system. Such plans enable Londoners to help to shape the future of their own neighbourhood. They ensure early public engagement in development and regeneration proposals. . Greater public input.</i>
Policy GG1 Building strong and inclusive communities Add additional sub-paragraph G as shown in bold	<i>GG1 Good growth is inclusive growth. To build on the city's tradition of openness, diversity and equality, and help deliver strong and inclusive communities, those involved in planning and development at London-wide, local and neighbourhood forum level should: (sub clauses to remain as in latest version):</i>
Para 1.2.3 Add wording shown in bold	The benefits of this approach are wide-ranging, going well beyond the simple ability to provide more homes and jobs. High-density, mixed use places support the clustering effect of businesses known as 'agglomeration', maximising job opportunities. They provide a critical mass of people to support the investment required to build the schools, health services and public transport infrastructure that neighbourhoods need to work. They are places where local amenities are within walking and cycling distance, and public transport options are available for longer trips, supporting good health, allowing strong communities to develop, and boosting the success of local businesses. <i>Neighbourhood plans can help to ensure the successful integration of these planning and transport objectives, including urban greening, at the very local spatial level.</i>
Para 1.27 Add wording shown in bold	London's distinctive character and heritage is why many people want to come to the city. As new developments are designed, the special features that Londoners value about a place, such as cultural, historic or natural elements, can be used positively to guide and stimulate growth, and create distinctive, attractive and cherished places. Local people are best placed to identify what makes a place special. Neighbourhood plans can help to recognise what makes the character and heritage of different areas distinctive.
Policy GG2 Making the best use of	<i>Neighbourhood plans can contribute to many of these objectives.</i>

<p>land</p> <p>Add sentence at foot of policy as shown in bold</p>	
<p>Policy GG4 Delivering the Homes that Londoners Need</p> <p>Add wording shown in bold and reinstate 'including small sites' from previous GLA text</p>	<p>Identify and allocate a range of sites, <i>including small sites</i>, to deliver housing locally, supporting skilled precision-manufacturing that can increase the rate of building, and planning for all necessary supporting infrastructure from the outset. <i>Neighbourhood plans can play a significant role in meeting this objective.</i></p>
<p>Spatial Development Patterns Para 2.0.4.</p> <p>Add wording shown in bold.</p>	<p>The London Plan has a clear focus on delivery – something that will require all stakeholders to work together to unlock sites and drive the right sort of development. Infrastructure is key to this delivery and will require major investment in transport, with Opportunity Areas clustered into growth corridors; and proper planning of utilities and communications capacity and the social infrastructure that supports the day-to-day lives of Londoners, well in advance of new development. Opportunity Area Planning Frameworks and Local Plans should have clear strategies for their delivery. <i>Neighbourhood plans in Opportunity Areas can help to build the local support needed for successful transformation and intensification.</i></p>
<p>Policy SD10 Strategic and Local Regeneration</p> <p>Make proposed modification</p>	<p>GLA have added a modification reading 2A) <i>engage communities, particularly those in Strategic and Local Areas for Regeneration, at an early stage and throughout the development of local development documents, strategies and regeneration programmes.</i></p> <p>Proposed modification <i>Add 'neighbourhood plans' before local development documents.</i></p>
<p>Policy D1 London's form and characteristics</p> <p>Add additional wording shown in bold</p>	<p>Development Plans (<i>including any made neighbourhood plans</i>), area-based strategies, and development proposals should address the following:</p>
<p>Policy D2 Delivering Good Design</p>	<p>To identify an area's capacity for growth and understand how to deliver it in a way which strengthens what is valued in a place, boroughs should undertake an evaluation, in</p>

Add additional wording shown in bold	preparing Development Plans and area based strategies, which covers the following elements. <i>Neighbourhood Forums should be involved in the design review and scrutiny process, particularly in areas with a ‘made’ neighbourhood plan. In the absence of the previous London Plan Density Matrix, design review becomes critical to acceptable development.</i>
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Recommendations	
Paragraph 3.27 Add additional wording in bold	The Mayor has produced guidance on design reviews, including how panels and processes should be managed. All development proposals should follow this guidance, and to be subject to a level of scrutiny appropriate to the scale of the site. This design scrutiny should include work by planning case officers and ongoing and informal review by qualified urban design officers as well as formal design review. <i>Wider involvement of local residents and community groups in design review is encouraged, to harness local knowledge and improve engagement between local communities and those making decisions on development in London.</i>

Glossary to the London Plan	<p>The terms ‘Neighbourhood Plan’ and ‘Neighbourhood Forum’ are not included in the Glossary to the current Draft. This misses an opportunity to explain to Londoners can become directly involved in shaping the future of their local communities (as per the 2012 and 2018 NPPF).</p> <p>While the Mayor and GLA do not designate neighbourhood areas and forums, the two Mayoral Development Corporations do so.</p> <p>The term Local Green Space, and the potential for designation via a neighbourhood plan under NPPF paragraphs 76 and 77 is not included in the Glossary (see also below).</p> <p>The terms Community Infrastructure Levy (CIL) and Neighbourhood CIL are not included in the Glossary (see below)</p>
Policy G4E on Local green and open space Make suggested	This policy currently states ‘ <i>Development Plans and Opportunity Area Frameworks should: 1) include appropriate designations and policies for the protection of green and open space to address</i>

modification	<p><i>deficiencies’.... This draft policy and supporting text make no reference to the capacity of London’s neighbourhood forums to designate Local Green Spaces, where NPPF criteria are met, on public or private land.</i></p> <p>Suggested modification:</p> <p>G4AA add paragraph C so as to read <i>Development Plans should C) support neighbourhood forums in making use of the power of Local Green Space designation in accordance with the NPPF.</i></p>
Policy G2 London’s Green Belt Make suggested modification	<p>This policy does not recognise the provision in Paragraph 148 of the 2018 NPPF that <i>Certain other forms of development are also not inappropriate in the Green Belt....</i> These include at 148(f) <i>development brought forward under a Community Right to Build Order or Neighbourhood Development Order.</i></p> <p>Suggested modification</p> <p>Add to Policy G2A a sub-paragraph 3 <i>This policy shall not override circumstances where NPPF 2018 paragraph 146 allows for appropriate development on Green Belt land, including development brought forward under a Community Right to Build Order or Neighbourhood Development Order.</i></p>
Policy E7 Industrial intensification, co-location and substitution Make suggested modifications	<p>This policy makes no mention of neighbourhood plans. Such plans can identify opportunities for intensification and co-location.</p> <p>Suggested modifications</p> <p><i>Policy E7A Development Plans, neighbourhood plans and development proposals should be proactive and encourage the intensification of business uses...</i></p> <p><i>Policy E7B Development Plans, neighbourhood plans and planning frameworks should be proactive and consider, in collaboration with the Mayor, whether certain logistics, industrial and related functions in selected parts of SILs could be intensified “”</i></p>

<p>Planning for Social Infrastructure Paragraph 5.13</p>	<p>This paragraph (and the document as a whole) omits any explanation of the 15% element of Neighbourhood CIL on which London LPAs should be consulting local communities. There is also no reference to the 25% element of CIL for which neighbourhood forums with a 'made' NP are (or should be) given a significant say on the allocation of CIL resources.</p> <p>This reduces the effectiveness of the London Plan as a strategic framework for planning in London. Awareness amongst Londoners of the national framework for planning obligations, CIL, and Neighbourhood CIL is low and the majority of London LPAs do little to publicise these arrangements (see 2016 Neighbourhood Planners.London research report)</p>
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