



## **THE NEW LONDON PLAN**



**Why so little support for neighbourhood planning?**

**A discussion document from  
Neighbourhood Planners.London**

**January 2018**



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### 1. Introduction

1.1 The new London Plan (Mayor's Spatial Development Strategy) has been published for public consultation. This runs until March 2nd 2018 after which an Examination in Public is expected in Autumn 2018 and final adoption in Autumn 2019. Policies in the Plan gain material weight as this process progresses.

1.2 The London Plan is a significant document for neighbourhood planning. It forms part of the unique three tier development plan system in London and all neighbourhood plans must be in "general conformity" with its policies in order to meet the Basic Conditions.

1.3 The draft London Plan makes very little mention of neighbourhood planning (see below). This note from the network of neighbourhood planners in London ([www.neighbourhoodplanners.london](http://www.neighbourhoodplanners.london)) provides background on the relevant content of the draft London Plan and prompts discussion over the following questions:

- Why does the draft London Plan published in 2017 give even less recognition to the role of neighbourhood planning than either the 2011 London Plan or the subsequent 2014 London Planning Statement/ Mayoral SPG?
- Is the impact of this apparent lack of interest, direction or support by the Mayor and GLA holding up progress on neighbourhood planning in London, as compared with the rest of England?
- What are the main opportunities for neighbourhood planning in London, arising from new policies in the London Plan? And are there any new threats?
- What response should Neighbourhood Planners.London make to the current consultation? Should the network ask to participate in the Examination in Public?

## 2. Recognition of neighbourhood planning in the new London Plan

2.1 The planning system in London is unique in having a spatial plan at regional level. The new London Plan (paragraph 0.0.9) rehearses the basic statutory position: *“The Plan provides the strategic, London-wide policy context for borough local development plan documents; all local development plan documents and Neighbourhood Plans have to be ‘in general conformity’ with the London Plan.”*

2.2 There is one further reference at paragraph 1.1.2 stating *“Early engagement with local people leads to better planning proposals, with Neighbourhood Plans providing a particularly good opportunity for communities to shape growth in their areas”*. Beyond this, there is inclusion of the term ‘neighbourhood plans’ in draft Policy S1B on Developing Social Infrastructure, and an explanation of the term in the glossary to the document. And that’s it!

2.3 The view of the Mayor and GLA on neighbourhood planning is further confirmed by the lack of recognition and erroneous content in paragraphs 0.0.22 and 0.0.23 of the draft London Plan. These read as follows:

*“0.0.22 This Plan provides the framework to address the key planning issues facing London. This allows boroughs to spend time and resources on those issues that have a distinctly local dimension and on measures that will help deliver the growth London needs. This includes area-based frameworks, action plans and Supplementary Planning Documents, site allocations, brownfield registers and design codes.*

*0.0.23 It is crucial that all those involved in planning and development in London understand how London’s two-tier planning system works and do not seek to duplicate policy or evidence unnecessarily.”*

2.4 It is hard to imagine a local planning authority, many of which now have ‘made’ neighbourhood plans determining planning decisions across large parts of their area, using similar drafting. Since the 2011 Act, London has a *three tier* planning system, and not a two tier one. And the tier potentially closest to the public, one which needs to be widely understood (alongside *area-based frameworks, actions plans and SPDs*), is neighbourhood planning. Why no mention?

2.5 The current London Plan, in its consolidated version, has rather more to say on neighbourhood planning and on Mayoral intentions towards this layer of the planning system. It states *“The Localism Act 2011 empowers communities to prepare neighbourhood plans for their area. In London, these plans are also required to be in general conformity with the policies in the London Plan. The Mayor intends this document to be a useful resource for those preparing neighbourhood plans, and is preparing guidance on how it can be used for this purpose.”*

2.6 The current London Plan includes a dozen references to neighbourhood plans, in relation to use of Neighbourhood CIL, Local Green Space designations, delivery and implementation. Current London Plan Policy 7.1 on Lifetime Neighbourhoods includes a specific sub-paragraph G stating “*Boroughs should work with and support their local communities to set goals or priorities for their neighbourhoods and strategies for achieving them through neighbourhood planning mechanisms.*”

2.7 Paragraph 8.4 of the current London Plan states “*(The Mayor) recognises that community and voluntary groups, local business organisations and other interest groups have particular contributions to make to planning decisions, plans and strategies to shape neighbourhoods (see Policy 7.1 and paragraph 7.6) and will support their involvement. He will also consider what guidance and support it would be appropriate for him to offer to aid neighbourhood planning.*”

2.8 Since 2014, this ‘further guidance’ appears never to have materialised. The 2014 Mayoral SPG described briefly how the Mayor will address issues of ‘general conformity’ when reviewing Local Plans and neighbourhood plans

2.9 Six years after the Localism Act, neighbourhood planning is being undertaken in over 75% of English planning authorities. Only 3 London planning authorities are seeing no activity, as compared with 11 a year ago<sup>1</sup>. Our map and list of neighbourhood planning activity shows over 100 London communities are engaged in neighbourhood planning. Seven neighbourhood plans have been made in London and are now part of the development plan for their area. Yet the new London Plan very largely ignores this growing part of England’s planning system and offers distinctly less support and encouragement than the current version. This contrasts with the many other recent statements coming out of City Hall on citizen involvement in achieving *Good Growth* and *Good Design*<sup>2</sup>.

2.10 The GLA Planning and Housing Committee published a report *Beyond Consultation* in February 2012, looking at the ‘opportunities and challenges’ that neighbourhood planning would present in a London context. This made seven recommendations<sup>3</sup>, including the preparation of further Mayoral guidance on neighbourhood planning (as also referred to in the current London Plan, but yet to appear)

<sup>1</sup> See the Neighbourhood Planners.London publication *Local Plans: are they supporting neighbourhood planning* March 2017, for the London picture at the start of 2017. Since then interest has been expressed by a community group in Merton which previously had no neighbourhood planning.

<sup>2</sup> The Mayor’s prospectus on the *Good Growth Fund* (2017) and publications on *Good Growth by Design* have a very different tone to the new London Plan, on community and citizen involvement and “*the need to draw on the skills and talents of all Londoners.*”

2.11 In October 2013 the GLA Planning Committee considered a report on progress on neighbourhood planning across London, hearing evidence from a number of invited witnesses.

2.12 In November 2014, a further publication from the GLA Planning Committee (*Localism in London – What’s the Story?*) reviewed the position at that time. This report concluded:

*“Currently, progress in London has been slow. Around 80 of London’s 1,200 neighbourhoods, that cover 624 electoral wards, have expressed any interest in the process. One neighbourhood plan has so far been adopted and is now influencing the development of a local area. It is difficult to imagine more than a handful of plans will be in place by the time of the next election – some three years after the legislation came into effect.”*

2.13 The Mayor’s October 2016 publication *A City for all Londoners* was promoted as the first stage in consultation on a new London Plan. The document made no mention neighbourhood planning or of neighbourhood plans.

### **3. Is this apparent lack of interest holding up progress on neighbourhood planning?**

3.1 There are now over 100 communities in London engaged with neighbourhood planning. Across England over 400 neighbourhood plans have been successful at referendum, whereas the current figure for London is seven.

3.2 A Neighbourhood Planning Act in 2017 hard on the heels of another in 2016, and a further £23m national programme of support, does not suggest that this part of the planning system is going to be dismantled any time soon. As noted in our report on the role of London Borough’s Local Plans in 2017 publication there is concern that a lack of encouragement, support or leadership by the Mayor has not helped to broaden use of the neighbourhood planning framework in London.

3.3 Neither the Mayor nor London Councils have shown any interest in suggestions that one or other body should seek to broker solutions where ‘stuck’ neighbourhood forums have found their own planning authority unhelpful or even adversarial. Efforts are being made to encourage the Assembly’s Planning Committee to have a further look at the London situation, but these have yet to bear fruit.

3.4 Would more active leadership from either of the two London Mayors since 2011 have made a difference to London’s slower progress on neighbourhood planning? It would be useful to share experience as to how often the GLA has responded (as a statutory consultee) on any designation applications or on draft neighbourhood plans across London. Anecdotal evidence suggests that this rarely happens (other than in relation to the two Mayoral Development Corporations). The lack of the promised “*further guidance*” on neighbourhood planning is also evidence of a lack of commitment

3.5 It has been argued that London and neighbourhood planning are not a natural fit, as compared with more rural areas. Clearly there are issues over the boundaries of ‘natural neighbourhoods’ within a global city, and one with a high level of population ‘churn’. But this does not seem to have hampered progress in other large cities such as Leeds.

#### 4. What are the main opportunities for neighbourhood planning arising from the new London Plan? And are there any new threats?

4.1 While the new London Plan may display little evidence of enthusiasm for neighbourhood planning, from the Mayor, Deputy Mayors, and GLA officers, it includes some significant new policies which could prove to be a more natural fit with the neighbourhood planning system.

4.2 Most of these relate to London’s housing challenges. Ministers and MHCLG have long promoted neighbourhood planning as a means of increasing housing delivery, of types and on sites which local people support. The new London Plan proposes very substantial increases in the level of housing development especially for suburban London. This could require dramatic changes in urban morphology, townscape and density and is already provoking significant controversy. Neighbourhood planning has the potential to help negotiate the changes that will be required and engage and build community support. It is not yet clear how the proposed new requirement for neighbourhood forums to plan to a specified housing requirement figure is going to work in a London context and its relationship with the new London Plan will be important.

4.3 The new London Plan places emphasis on Town Centres as areas for *“adaptation and diversification”* and for intensified mixed use/housing development, close to transport nodes (Policy SD6). Related policy SD9a states that *“Each town centre should have a Town Centre Strategy produced in partnership at the local level in a way that is inclusive and representative of the local community”*. There is mention of Business Improvement Districts, but no mention of neighbourhood plans or even Business Neighbourhood Areas. The Central Ealing Neighbourhood Plan, successful at a referendum of both businesses and residents in October, is an early example of town centre neighbourhood planning. London planning authorities will need help in formulating strategies for each of their Town Centres, if these are to command public support.

4.4 On regeneration, the new London Plan urges Boroughs to identify deprived areas as *Local Areas for Regeneration*, in their Local Plans (Policy SD10). The accompanying text says *“In order to be effective in improving the lives of those most affected by inequality, regeneration initiatives must be undertaken in collaboration with local communities, involving a broad spectrum of groups and individuals, to develop a shared vision for the area.”* Again, there is no mention is made of the role of neighbourhood planning.

4.5 The same comment applies to paragraph 2.10.6 which argues “*Local Plans, Opportunity Area Planning Frameworks, and regeneration strategies should identify, protect and promote the places and spaces that are particularly valued by local communities (GLA emphasis)*”. Again, there is no mention of neighbourhood plans. As many neighbourhoods have found, OAPFs are a planning process which local people see as coming from the top down, and not as a vehicle for participation and involvement.

4.6 The new London Plan policy on Optimising Housing Density is positioned in the chapter of the document on Design. This is presumably to emphasise the ‘design led’ approach to density which will replace the existing London Plan Density Matrix. Reaction to dropping the density matrix has been mixed. While the density ceilings in the current plan have been increasingly widely ignored, some commentators foresee adverse consequences<sup>4</sup>.

4.7 It remains to be seen whether the new London Plan policy will make it easier for neighbourhood forums to argue that a neighbourhood plan policy on density and resultant building heights is as based on a well evidenced design led approach, and thus achieves conformity with the London Plan even if not wholly consistent with Local Plan policies.

4.8 New London Plan policies H1 and H2 on housing supply and infill ‘intensification’ have attracted much press attention. Significantly increased 10 year and annual housing targets have huge implications, especially for Outer London boroughs. How these targets are to be disaggregated or translated at neighbourhood level remains to be seen.

4.9 The London Plan asserts that SHLAA modelling demonstrates capacity across London for 24,500 new homes on small sites, as part of the 66,000 annual total which has been set across London’s planning authorities. Does this part of the Plan represent a new threat for neighbourhood forums, or a challenge that could be turned into an opportunity?

4.10 Most Borough planning departments are short on capacity to assess or promote the suitability of small sites in their area. Brownfield Registers tell a prospective developer little about site characteristics, or the likelihood of eventual planning approval. Neighbourhood plans give local people the chance to identify and to allocate small housing sites, some of which may have been ignored to date on the basis of outdated policies or planning protections and others of which may be viewed by neighbours as disastrous choices for housing infill and ‘intensification’. The case for micro-planning at the neighbourhood level, using local knowledge, is strong.

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<sup>4</sup> See e.g. the blog piece from Michael Edwards of UCL and JustSpace, commenting that *Case-by-case negotiation between developers and boroughs has already been responsible for squeezing down the level of social housing provided under Section 106. If the regulation of maximum density becomes even more relaxed than it already is, then I’m expecting land prices to be further pushed upwards.*  
<https://michaeledwards.org.uk/2017/10/>

4.11 The London Plan’s emphasis on design led planning may enable neighbourhood forums to demonstrate to the satisfaction of an Examiner (and to those voting at a referendum) that a Forum’s view of suitability of infill housing sites will lead to a better outcome than the aspirations of a speculative developer, or even the site allocations in a Local Plan. A combination of new London Plan policies on infill, coupled with well evidence neighbourhood plan proposals, could see the original vision of neighbourhood plans as a ‘powerful tool’ for local people come closer to fruition in a London context.

4.12 The Plan’s new emphasis on design, with accompanying policies D1 and D2, also offers scope for neighbourhood planners. Mayoral expectations are for development design that responds to local context and is of high quality, arguing that *“good design and good planning are intrinsically linked.”*

4.13 Policy D2F requires that on projects referable to the Mayor (and meeting certain other criteria) at least one design review must have been carried out at an early stage. The review process must conform with Mayoral guidance on design reviews. This opens up the question of the current quality and independence of Design Review Panels and appraisal processes currently used in London (many of which are outsourced to Design Council Cobe, Frame Projects, Design South East or other providers). There is an opportunity to discuss experiences from different Boroughs, and the extent to which neighbourhood forums or residents associations/amenity bodies are currently being included in the local design review process.

4.14 Many boroughs have few staff with urban design expertise. The new London Plan sets a high bar of what is expected on ‘good design’ in the future. The GLA says that 70% of major planning applications in London receive no design review<sup>5</sup>. A pool of ‘Mayoral Design Advocates’ is not going to change this basic position. Neighbourhood forum members often have suitable skills and experience, from volunteers or professional colleagues working on a pro bono basis. This capacity needs to be tapped into, rather than being spurned by planning departments resistant to open discussion and engagement at the early stages of a development. Neighbourhood planning may also help in the development of design codes and a full understanding of character.

4.15 Ensuring that developments get off on the right foot, in terms of public perceptions and acceptability can speed up the planning process and reduce abortive costs. Too often in London, this engagement is too little and too late. A Neighbourhood Planners.London workshop/seminar could draw together examples of successful and inclusive design review processes, including more structured charrettes, as evidence to be submitted in a response to the draft London Plan.

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<sup>5</sup> London’s Place-shaping capacity survey 2014, cited in the Mayor’s publication *Good Growth by Design*

4.16 The new London Plan includes policy thinking which has been welcomed, on how environmental, social and economic change in the capital might best be addressed through the planning system. This too is an area in which neighbourhood forums have been coming up with new ideas which push at the boundaries of what can be done through the planning system. It is often neighbourhood forums which are coming up with ideas on issues high on the agenda of Londoners, including air quality, affordable workspace, self-build housing, 'Buy to Leave', and the impact of short-term lets and Air BnB.

4.17 The new London Plan is significantly more detailed than its predecessors. This raises the question of whether all parts of its policies are 'strategic' in terms of application of the 'general conformity' test for neighbourhood plans.

4.18 Hitherto there do not seem to have been any example of an Examiner modifying or rejecting draft policies in London neighbourhood plans, on grounds of failure to 'generally conform' with the London Plan. But current London Plan policies are pitched in broad 'strategic' terms. Can the same be said, for example, for new London Plan policy D7I that developments should *"ensure that shade and shelter are provided with appropriate types and amounts of seating to encourage people to spend time in a place, where appropriate. This should be done in conjunction with the removal of any unnecessary or dysfunctional clutter or street furniture to ensure the function of the space and pedestrian amenity is improved"*. This may be a worthy aim, but is it truly 'strategic' in terms of the definition provided in NPPF paragraph 184?

4.19 As with some of London's Local Plans, the new London Plan defines itself as a 'strategic' document containing only 'strategic policies'. The draft Plan makes no mention of the fact that the 'strategic/non-strategic' question is important to neighbourhood forums and to Examiners of draft neighbourhood plans. The issue does not seem to have arisen in the minds of London Plan authors.

## 5. Issues for discussion

5.1 The draft London Plan raises a series of questions for neighbourhood planners. These include:

- Why does the draft London Plan published in 2017 give even less recognition to the role of neighbourhood planning than either the 2011 London Plan or the subsequent 2014 London Planning Statement/ Mayoral SPG?
- Is the impact of this apparent lack of interest, direction or support by the Mayor and GLA holding up progress on neighbourhood planning in London, as compared with the rest of England?

*Do we know why this stance has developed in the past 5 years? The Mayoral Prospectus on Good Growth (for example) has a different tone to the London Plan*

*saying ‘We want to see projects that build community cohesion, develop a shared sense of civic pride and involve local people in a meaningful and collaborative regeneration effort in long-term strategic change’. Is this current unsupportive stance coming from the Mayor, the Deputy Mayor, or from GLA planning officers?*

- What are the main opportunities for neighbourhood planning in London, arising from new policies in the London Plan? And are there any new threats?

*This discussion paper suggests town centre strategies, housing infill/intensification, and design review as three areas on which neighbourhood forums and plans could help to achieve the aims of the new London Plan. Examples of other creative thinking by neighbourhood forums on the concerns of Londoners (air quality, lack of affordable workspace, Buy to Leave and empty second homes) would be welcome, to help build a case for greater recognition by the Mayor of what this layer of the planning system can contribute.*

- What response should Neighbourhood Planners.London make to the current consultation? Should the network ask to participate in the Examination in Public?

*Does the network wish to make a collective response? Are there sufficient areas of broad agreement? Should individual forums be encouraged to respond separately in addition? Are there other tactics for encouraging more long-term support to neighbourhood planning from the Mayor, GLA officers, and the Assembly? The London Plan has a different statutory basis than Local Plans, meaning that the current consultation is the only one prior to an Examination in Public. There seems to be some question of whether the London Plan has to meet the same tests of ‘soundness’ as a Local Plan. The Inspector examining the Further Alterations to the current London Plan in 2014 took the view that these NPPF criteria apply, and that the FALP should be ‘positively prepared, justified, effective and consistent with national policy’.*

## Neighbourhood Planners.London

Neighbourhood Planners.London exists to support neighbourhood planners in London and raise the profile of neighbourhood planning in the capital.

We're a voluntary initiative in response to direct experience of the first wave of neighbourhood planning in London. The benefits of neighbourhood planners getting together, sharing experience and know-how was demonstrated by major conferences in Ealing in 2014 and on the South Bank in 2015 as well as the more informal London Neighbourhood Planning Gatherings, happening since spring 2013. We launched in 2017.



[www.neighbourhoodplanners.london](http://www.neighbourhoodplanners.london)



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