

“Ripping up” the planning rules in London?



This week the Mayor of London, Sadiq Khan, caught the headlines by publishing his new London Plan in advance of a consultation period starting next week. The Plan has been publicised as a major change to the planning regime in London, and was brought forward in large part to encourage homebuilders to develop sites at higher densities to substantially increase supply across the city.

CONTACT

Jason Lowes
07899 963524
jason.lowes@rapleys.com

The replacement London Plan will (as advertised) rip up the planning rules in the capital in the sense that it will replace the current London Plan and its amendments, authored by Boris Johnson - the introduction of the draft is very clear on that. However, in general terms the policies in the document follow long standing planning concepts, such as making the best use of accessible land (through increasing densities), strong protection of the Green Belt, discouraging the use of the private car and so on.

The document is 574 pages long and there is much to note, but some of the broader themes are summarised below:

- The concept of “good growth”, which reads very much like an updated version of “sustainable development”. It is contrasted with “growth at any price”, which the Plan suggests has been the priority in recent years.
- The document includes some quite detailed guidance on residential development (in its broadest sense), but much attention has been attracted to the focus on removing restrictions to increase the density of residential development, particularly in

areas with good public transport accessibility. However, in truth, much development in London in recent years was consented at densities higher (sometimes far higher) than the ranges set out in Mr Johnson’s London Plan.

- Encouragement of the night-time economy including protection of pubs, and the formalising of the “Agents of Change” concept (which, put simply, is the idea that new development is responsible for ensuring that it is properly mitigated, in terms of noise and disturbance, relative to its prevailing context).
- A presumption in favour of sustainable development for housing on most smaller sites, albeit with some notable exceptions.
- In terms of affordable housing, the Plan formalises and continues the principles set out within Mr Khan’s previously published guidance on the matter. There is an overall target of 50% affordable housing across the city, and viability will continue to be a key issue in bringing forward residential development.

“Ripping up” the planning rules in London?



CONTACT

Jason Lowes
07899 963524
jason.lowes@rapleys.com

- As flagged in the press before the document was published, the Plan seeks to **prevent new takeaways within 400m walking distance of primary or secondary schools** (including schools that are merely “proposed”), although it is open to boroughs to set their own distances. Boroughs should also consider whether to manage (ie restrict) over concentration of takeaways in their town centres.
- Discouragement of the use of the **Vacant Building Credit**, and a policy against **fracking**.

In this context, in many respects beyond the policies themselves, much of Mr Khan’s message seems to be that he will be very much a “hands-on” Mayor when it comes to planning and, beyond being involved in larger development proposals, he will also seek to influence smaller development. This would explain policies relating to development on small sites, and the discouraging of new take-aways. These are matters which would not be passed to the Mayor for comment when planning permission is sought for individual proposals, albeit evidently they are proposals that are seen by Mr Khan as raising strategic issues cumulatively.

If – as advertised – the London Plan does act as a catalyst for bringing forward the housing the capital needs, it should be welcomed. In this context, we will be watching trends closely to see how much of an activist Mr Khan ends up being, and just as importantly, the attitude of the local authorities in implementing the more

detailed elements of the new Plan (particularly Conservative outer boroughs).

In the interim, comments are sought on the document until 2 March 2018. If you would like to find out more about the draft Plan, and how becoming involved with the consultation might create value for your business, please get in touch.