

### Matters for Consideration at the Examination in Public

#### Introduction

This Annex contains the Panel's list of matters to be examined further to regulation 8(4) of *The Town and Country Planning (London Spatial Development Strategy) Regulations 2000* and section 338(4) of the *Greater London Authority Act 1999* (as amended).

Whilst a revised version of the *National Planning Policy Framework* ("NPPF") was published in July 2018, the transitional arrangements mean that the policies in the 2012 version of the NPPF apply to this examination<sup>1</sup>. Therefore, unless otherwise stated, all references to "NPPF" in this Annex are to the version published in 2012.

#### Legal and Procedural Matters

The Mayor responded to a number of the Panel's Preliminary Questions relating to legal and procedural matters on Friday 7 September 2018.

##### *Sustainability Appraisal*

M1. Does the *Integrated Impact Assessment* (IIA) and Addendum Report (NLP/CD/04 & 05) meet legal and national policy requirements relating to sustainability appraisal and strategic environmental assessment? In particular:

- Is it suitably comprehensive and has it sufficiently evaluated reasonable alternatives and does it provide a basis for future monitoring?
- Have the recommendations made within the IIA been adequately addressed within the Plan<sup>2</sup>?

##### *Equality of Opportunity*

M2. Does the *Integrated Impact Assessment* and Addendum Report (NLP/CD/04 & 05) indicate that the Plan will help to advance equality of opportunity between people who share a "protected characteristic" as defined in the *Equality Act 2010*<sup>3</sup> and those that do not share it and further the other two aims of the Act? In particular, which policies of the Plan will achieve this?

##### *Habitat Regulations Assessment*

M3. Does the *Habitat Regulations Assessment Update Report* (NLP/CD/07) meet the requirements of the *Conservation of Habitats and Species Regulations 2017* and relevant national policy and guidance? In particular:

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<sup>1</sup> NPPF 2018 paragraph 214 and footnote 69.

<sup>2</sup> All references to "the Plan" are to the draft London Plan (December 2017) incorporating the Mayor's Minor Suggested Changes (August 2018).

<sup>3</sup> "Protected characteristics" are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

- a) Does it adequately address whether the Plan would adversely affect the integrity of European conservation sites either alone or in combination with other plans or projects?
- b) Has it taken sufficient account of relevant case law including *People Over Wind* and *Wealden*?
- c) Does the Plan incorporate any recommended mitigation measures or alternative solutions?

#### *Duty to Cooperate*

M4. Does the duty to cooperate set out in section 33A of the *Planning and Compulsory Purchase Act 2004* apply to the Mayor's preparation of the Plan?

M5. Irrespective of matter M4, did the Mayor engage constructively, actively and on an on-going basis during the preparation of the Plan:

- a) with all relevant local authorities and other prescribed bodies in London<sup>4</sup>; and
- b) all relevant local authorities and prescribed bodies outside London on strategic and cross boundary matters in the wider South East?

#### *Consultation and Engagement*

M6. Was the consultation carried out during the preparation of the Plan in accordance with relevant legislation<sup>5</sup>, and did it involve early and meaningful engagement and collaboration with the community, local authorities, organisations and businesses<sup>6</sup>?

### **General Matters**

#### *Format, Scope and Content of the Plan*

M7. Does the Plan set out a spatial development strategy in accordance with relevant legislation and national policy? In particular:

- a) Does the Plan deal only with matters which are of strategic importance to Greater London<sup>7</sup>?
- b) Would the policies in the Plan provide an effective strategic framework for the preparation of local plans and neighbourhood plans in London?
- c) Does the Plan address detailed issues that would be more appropriately addressed in local plans and neighbourhood plans?
- d) Is the approach to planning in London described in paragraphs 0.0.21 and 0.0.22, particularly with regard to the relationship between the spatial development strategy and local plans, neighbourhood plans and the Borough's development management responsibilities, justified and consistent with national policy and legislation?

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<sup>4</sup> Including the bodies prescribed under regulation 4 of *The Town and Country Planning (Local Planning) (England) Regulations 2012*.

<sup>5</sup> *GLA Act* section 334(5) and *The Town and Country Planning (London Spatial Development Strategy) Regulations 2000*.

<sup>6</sup> NPPF paragraph 155.

<sup>7</sup> *GLA Act* 334(5).

M8. Given the legal requirement for the Mayor to have regard to the need to ensure that the Plan is consistent with national policies<sup>8</sup>, is it justified for certain policies to deviate from national policy and guidance<sup>9</sup>?

### *Good Growth*

M9. (a) Are Good Growth policies GG1 to GG6 consistent with national policy and/or justified, and would they help ensure that the Plan provides an effective strategic framework to achieve sustainable development? (b) Are the policies in chapters 2 to 12 of the Plan appropriately informed by and consistent with Good Growth policies GG1 to GG6?

## **Spatial Development Strategy**

### *Overall Spatial Development Strategy*

M10. Should the vast majority of London's development needs be met within London?

- a) Is the approach of seeking to accommodate the vast majority of identified development requirements between 2019 and 2041 within London justified and would so doing contribute to the objective of achieving sustainable development?
- b) Alternatively, would accommodating more of London's development needs in the wider South East and beyond better contribute to the objective of achieving sustainable development?
- c) If so, is there a realistic prospect that such an approach in London and the wider South East could be delivered in the context of national policy and legislation?

M11. Is the strategic approach to accommodating development needs within London justified and consistent with national policy? In particular:

- a) Is the focus on the Central Activities Zone, Town Centres, Opportunity Areas and through the intensification of existing built-up areas in inner and outer London whilst protecting the Green Belt and Metropolitan Open Land justified and would it be effective in meeting identified needs and achieving sustainable development?
- b) Alternatively, should some of London's development needs be met through reviewing Green Belt and Metropolitan Open Land in London?

M12. Is the broad spatial distribution of housing and employment development proposed in the Plan, including between inner and outer London<sup>10</sup>, justified and would it contribute to the objective of achieving sustainable development particularly in terms of minimising the need to travel and maximising the use of sustainable transport modes; building a strong, competitive economy; creating healthy, inclusive communities; and respecting the character and appearance of different parts of London?

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<sup>8</sup> GLA Act section 41.

<sup>9</sup> London Plan (December 2017) paragraph 0.20.

<sup>10</sup> Table 6.1 in the Plan indicates around 19,000 additional office jobs per year in the CAZ and other parts of inner London, and around 6,000 per year in outer London. The annualised housing targets in Table 4.1 total around 23,000 for inner London boroughs and 42,000 for outer London boroughs.

M13. Would the Plan be effective in ensuring that adequate physical, environmental and social infrastructure is in place in a timely manner to support the amount and type of development proposed?<sup>11</sup> In particular:

- a) Is the development proposed in the Plan dependent on the provision of the infrastructure identified in the London Infrastructure Plan 2050 [NLP/EC/020]?
- b) If so, is the strategy justified and would it be effective, bearing in mind that the delivery of some of the infrastructure projects is not certain and that there is an identified infrastructure funding gap of at least £3.1 billion per year?
- c) What, if any, strategic infrastructure other than that identified in the London Infrastructure Plan 2050 is likely to be needed to support the development proposed in the Plan?

### *Opportunity Areas*

M14. Are the Opportunity Areas identified on the Key Diagram and Figures 2.4 to 2.12 likely to deliver the indicative number of additional homes and jobs assumed in the Plan<sup>12</sup> in a way that is justified and consistent with national policy? In particular:

- a) Are sites likely to be available in the Opportunity Areas with sufficient capacity to accommodate the expected scale of development?
- b) Have the Opportunity Areas been chosen having due regard to flood risk in accordance with national policy?
- c) To be effective in preventing unacceptable risk from pollution and land instability and ensuring that development only takes place on sites that are suitable for the use proposed, is it necessary for the Plan to set out a strategic approach to dealing with despoiled, degraded, derelict, contaminated and unstable land in Opportunity Areas?
- d) How would the development proposed be likely to affect the character and appearance of existing places within and around the Opportunity Areas including with regard to heritage assets and their settings?
- e) Is the necessary transport and other physical, environmental and social infrastructure likely to be in place in each of the Opportunity Areas in a timely manner?
- f) Would the development proposed in the Opportunity Areas support policy GG1 "building strong and inclusive communities" and Policy SD10 "strategic and local regeneration"?
- g) Would Policy SD1 provide an effective strategic context for the preparation of local plans and neighbourhood plans?
- h) Is the approach to development management set out in SD1 consistent with national policy and would it be effective particularly in terms of the role of "planning frameworks"?

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<sup>11</sup> Infrastructure in Opportunity Areas is considered under M14, and policy DF1 is considered under M93.

<sup>12</sup> The indicative number of homes and jobs in Opportunity Areas are set out in Figures 2.4 to 2.12 of the Plan and Table 2.1 of the Mayor's Minor Suggested Changes to the Plan.

### *Strategic and Local Regeneration*

M15. Would the Plan be effective in ensuring that development contributes positively to regeneration where it is needed and the building of strong and inclusive communities in accordance with Policy GG1? In particular:

- a) Would Figure 2.19 provide an effective and justified strategic framework for the identification of regeneration areas in local plans and neighbourhood plans?
- b) Would Policy SD10 provide an effective and justified strategic framework for the preparation of (i) policies in local plans and neighbourhood plans and (ii) regeneration strategies and programmes?

### *The Wider South East and Beyond*

M16. (a) How, if at all, should the Plan address the matter of development and growth in the wider South East? (b) Are policies SD2 and SD3 necessary, and would they be effective in assisting in implementation of the Plan and/or informing a future review of the Plan?

## **Housing Requirement and Supply, Targets, Small Sites and Monitoring**

### *Housing requirement*

M17. Is the need for 66,000 additional homes per year identified by the Strategic Housing Market Assessment (SHMA) justified and has it been properly calculated for market and affordable housing having regard to national policy and guidance? In particular:

- a) What weight, if any, should be given to the revised household projections published in September 2018?
- b) What weight, if any, should be given to the potential impact of Brexit?
- c) Has the Mayor adequately considered increasing the total housing figures in order to help deliver the required number of affordable homes in accordance with the PPG (ID 2a-029-20140306)?

### *Housing strategy*

M18. Will the housing policies achieve the good growth objectives in Policies GG1, GG2, GG3 and GG4 relating to building strong and healthy communities, making the best use of land, creating a healthy city and delivering the homes Londoners need? In particular how will the provisions of GG4E regarding ambitious and achievable build-out rates be put into effect? Will the provisions of Policy H1 B-F provide an effective strategic context for the preparation of local plans and neighbourhood plans?

### *Housing supply and targets*

Written statements in response to M19 may be up to 4,000 words in length.

M19. Are the overall 10 year housing target for London and the target for the individual Boroughs and Corporations set out in Policy H1 A and in Table 4.1 justified and deliverable? In particular:

- a) Are the assumptions and analysis regarding site suitability, availability and achievability and development capacity for large sites in the Strategic Housing and Employment Land Availability Assessment (SHLAA) reasonable and realistic?
- b) Have the environmental and social implications of the proposed increase in housing targets been fully and properly assessed?
- c) Policy H1 B 2) a)-f) identifies various sources of capacity. Will these be sufficient to meet the ten years targets and what proportion of housing is expected to be delivered by means of the different types? How much is expected to be delivered on existing industrial land in the context of Policies E4-E7?
- d) Will the focus on existing built up areas rather than urban extensions using GB/MOL provide sufficient variety of house types and tenure?
- e) Is the emphasis on development in outer London consistent with the intention in Policy GG2 that seeks to proactively explore the potential to intensify the use of land on well-connected sites?
- f) Does the Plan adequately consider the cumulative impacts of other policies on the deliverability and viability of housing?
- g) What is going to bring about the step change in delivery implied in the Plan compared to the current one? What are the tools at the disposal of Boroughs in 1.4.6? Is it realistic to expect this to occur from 2019 or should there be a stepped or transitional arrangement?
- h) Should Table 4.1 include targets for different types and tenures of housing?
- i) Should the target be for longer than 10 years given that the plan period runs to 2041?
- j) How and where is the shortfall between the identified need of 66,000 additional homes a year and the total annualised average target of 64,935 to be made up? Will LPAs outside London in the wider south east be expected to deal with this on an ad hoc basis and is this realistic?
- k) Does paragraph 4.1.8A adequately explain how Boroughs are to calculate a target beyond 2028/29?
- l) What will be the implications for London Boroughs if the Plan targets are adopted which increase the requirement in recent development plans?

### *Small sites and small housing developments*

Written statements in response to M20 may be up to 4,000 words in length.

M20. Are the presumption in favour of small housing developments of between 1 and 25 homes in Policy H2 and the targets in Table 4.2 justified and deliverable and will the policy be effective? In particular:

- a) Is the modelling of delivery from small sites in the SHLAA justified, including reliance on PTALs?

- b) Is it realistic to expect the small sites target to be achieved in the outer London Boroughs?
- c) Has adequate consideration been given to the cumulative impacts of this policy on, amongst other things, infrastructure, affordable housing provision and the character of some neighbourhoods as referred to in paragraph 4.2.5?
- d) Is the policy support for infill development within the curtilage of a house consistent with national policy in paragraph 53 of the NPPF which refers to resisting inappropriate development of residential gardens?
- e) Will the provisions of Policy H2 provide an effective strategic context for the preparation of local plans and neighbourhood plans including support for custom, self-build and community-led housing? Are the detailed criteria necessary and would they provide an effective basis for development management? Are the qualifications at Policy H2 HA-HC justified in themselves and would they effectively eliminate the positive presumption for small housing developments?
- f) Based on the historic delivery from sites below 0.25 hectares (whether allocated or windfalls) how will the Plan's expectations for delivery be achieved?
- g) What will happen in the interim pending the work to prepare area-wide design codes referred to in Policy H2 B 2)?
- h) Are the provisions of Policy H2 H) relating to affordable housing requirements for minor developments justified, notwithstanding that they are inconsistent with national policy?

#### *Gypsy and Traveller Accommodation*

M21. Does Policy H16 make adequate provision for meeting the need for gypsy and traveller accommodation including pitch provision and monitoring? In particular:

- a) Is Policy H16 a justified strategic framework for the preparation of local plans? Should accommodation assessments be undertaken at Borough level or should this be done London-wide?
- b) Is it justifiable to have a different definition to that in Annex 1 of the Planning Policy for Traveller Sites for gypsies and travellers in London?
- c) Is sufficient account taken of the need for temporary stopping places?
- d) Is sufficient account taken of the needs of travelling showpeople?
- e) Is sufficient account taken of the accommodation needs of boat dwellers?

#### *Monitoring housing targets*

M22. Does Policy H3 provide an adequate basis for the monitoring of housing targets? In particular:

- a) Does Policy H3 BA provide an adequate basis for differentiating between the small sites target as a component of the overall housing target?
- b) Are the provisions in Policy H3 C and D regarding how net non-self-contained accommodation should be counted justified?
- c) What measures should be taken if relevant targets in the London Plan are not met?

## Meeting Housing Needs

### *Meanwhile Use as Housing*

M23. Would Policy H4 provide a justified and effective approach to encouraging meanwhile uses of sites for housing? In particular:

- a) Would it make an effective contribution to meeting the London wide housing need? Would it be likely to impact on the provision of permanent homes? In the absence of a time frame for meanwhile uses, would it be effective? How would it ensure the provision of homes that provide good living conditions for occupiers?
- b) Would it provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to this matter?

### *Affordable Housing*

Written statements in response to M24 may be up to 2,000 words in length per policy (H5 to H8).

M24. Would policies H5 to H8 provide a justified and effective approach to delivering affordable housing to meet the good growth objectives set out in Policy GG4? Overall, would they provide an effective strategic framework for the preparation of local plans and neighbourhood plans in relation to affordable housing? In particular, in relation to each policy:

#### *Policy H5 Delivering Affordable Housing*

- a) Would the definition of 'genuinely affordable housing' and the Mayor's 'preferred affordable housing tenures', include the affordable homes needed?
- b) Would the strategic target of 50% of all new homes to be genuinely affordable be justified in light of the identified need?
- c) In requiring major developments which trigger affordable housing requirements to provide affordable housing through the threshold approach, would the policy be effective in delivering the quantum of affordable housing required?
- d) Would the approach to affordable housing providers, public sector land and industrial land be justified and effective?
- e) In requiring on site affordable housing generally, would the policy provide adequate flexibility to take account of local circumstances?
- f) Does the approach taken in Policy H5 provide sufficient flexibility to take account of local circumstances?
- g) Overall, would the policy be effective in delivering the affordable homes needed?

#### *Policy H6 Threshold Approach to Applications*

- a) Would the threshold approach to viability, with a fast track route and viability tested route, as set out in policy H6, be justified and effective? Would the threshold level of affordable housing as set out in Policy H6B be justified and effective?
- b) Would it provide a framework to increase delivery of affordable homes to meet the full range of identified need?



- c) Would the approach taken to scheme amendments be effective in increasing delivery of affordable homes?
- d) Would the approach taken to determining benchmark land value be justified?
- e) Would the requirement to seek grants to increase the level of affordable housing to access the fast track route be effective in increasing speed of delivery?
- f) Would the review mechanism as set out in Policy H6E2 be justified and effective in increasing delivery?

*Policy H7 Affordable Housing Tenure*

- a) Would Policy H7 be effective in delivering the tenure of affordable housing to meet the objectives of Policy GG4?
- b) In light of the identified need for low cost rental homes, would the split of affordable products in this policy be justified and effective? Would it provide sufficiently for boroughs to determine tenure locally to meet local needs and reflect local circumstances?
- c) Would the preferred affordable housing tenures be justified and effective in meeting identified need?
- d) Would the mechanism for review of the preferred tenures through supplementary planning guidance in 2021 be justified and effective?

*Policy H8 Monitoring Affordable Housing*

- a) Would Policy H8 provide an effective framework for boroughs to monitor affordable housing?

*Vacant Building Credit*

M25. Would Policy H9 be consistent with national policy? Is the approach taken justified?

*Redevelopment of Housing and Estate Regeneration*

M26. Would Policy H10 provide a justified and effective approach to the redevelopment of existing housing and estate regeneration? In particular, would the approach to affordable housing be justified? In light of Policy H5, would the requirements be clear? In the context of local need and objectives for redevelopment or estate renewal, would it be effective? What is the justification for provision of affordable housing floorspace rather than units? Would it provide sufficient flexibility to reflect local circumstances and support housing and estate regeneration? Overall, would the approach taken meet the objective of Policy GG4 in delivering the homes Londoners need?

*Ensuring the Best Use of Housing Stock*

M27. Would Policy H11 provide a justified and effective approach to ensuring the best use of housing stock? In particular:

- a) Would this policy deal with a strategic planning matter?
- b) Would the approach taken to 'buy to leave' and short term holiday accommodation be justified?

- c) Overall, would Policy H11 be effective in sustaining London's existing housing stock and would it meet the objective of Policy GG4 to deliver the homes Londoners need?

#### *Housing Size Mix*

M28. Would Policy H12 provide a justified and effective approach to achieving the dwelling size mix to meet London wide and local needs? In particular:

- a) Does the dwelling size and mix identified in the 2017 SHMA provide a robust and realistic assessment of London wide needs?
- b) Would policy H12 provide an effective and justified strategic framework to deliver the mix of homes needed? What is the justification for preventing boroughs from setting prescriptive dwelling size mix requirements for market and intermediate homes and would this approach be effective? Would it provide sufficient flexibility to meet local needs? In light of this and the need to optimise density would it make a sufficient contribution towards family homes?
- c) Overall, would it meet the objective of Policy GG4 to deliver the homes Londoners need?

#### *Build to Rent*

M29. Would Policy H13 provide a justified and effective approach to build to rent housing to meet housing need? In particular:

- a) Would the criteria to define build for rent set out in Policy H13B be justified and would they be effective in supporting delivery?
- b) Would the approach to affordable housing requirements be justified and effective? Would it be effective in meeting local needs? Would the approach to discounted market rent homes be effective? Should the discount level be defined locally to take account of local circumstances?
- c) Are there specific design requirements of this type of housing and would the policy be effective in delivering them?
- d) Overall, would it meet the objective of Policy GG4 to delivering the homes Londoners need?

#### *Supported and Specialised Housing*

M30. Would Policy H14 provide a justified and effective approach to the delivery, retention and refurbishment of supported and specialised housing? In particular, would it meet the objective of Policy GG4 to delivering the homes Londoners need?

#### *Specialist Older Persons Housing*

M31. Would Policy H15 provide a justified and effective approach to meeting the housing needs of older people in London? In particular:

- a) Would the approach to affordable housing requirements be effective and justified in supporting the delivery of housing for older people? Would the definition of the different types of older persons' accommodation in terms of use class (class C2 and C3) be effective and justified? Would it be appropriate in a strategic document?
- b) Would the 'benchmark numbers' set out in table 4.4 be justified?

- c) What would be the mechanism for monitoring this policy and would it be effective?
- d) Overall, would Policy H15 meet the objective of Policy GG4 in delivering the homes Londoners need?

#### *Student Accommodation*

M32. Would Policy H17 provide a justified and effective approach to the provision of purpose built student accommodation (PBSA) in London? In particular:

- a) Would the criteria set out in Policy H17A be justified and effective in delivering PBSA to meet identified need?
- b) Would the approach to affordable student accommodation be justified and effective?
- c) Would the approach to living space and layout provide good design in PBSA to meet the objectives of good growth policies GG1 to GG4?
- d) Overall, would Policy H17 meet the objective of Policy GG4 in delivering the homes Londoners need?

#### *Large Scale Shared Living Development*

M33. Would Policy H18 provide a justified and effective approach to the delivery of large scale purpose built shared living accommodation in London? In particular:

- a) Would the criteria set out in Policy H18A be justified?
- b) In the absence of the application of defined space and amenity standards, would it be effective and justified in delivering good design and the objectives of policies GG1 to GG4?
- c) Would the size of development defined in paragraph 4.18.3 be justified?
- d) Would the affordable housing requirements be effective and justified?
- e) Overall, would it deliver the planned level of growth to meet the objectives of good growth policies GG1 to GG4?

### **Design**

#### *Good Design*

Written statements in response to M34 may be up to 3,000 words in length.

M34. Would policies D1 and D2 provide a justified and effective approach to delivering good design? In particular:

- a) Would the approach to delivering good design meet the good growth objectives set out in policies GG1, GG2, GG3 and GG4?
- b) In light of the requirements of policies D1 and D2 would they be effective in achieving the level of growth envisaged?
- c) Would policies D1 and D2 provide an effective framework to protect the distinctiveness of different parts of London, with particular regard to their social, economic, cultural and residential characteristics?
- d) Would the approach taken to design scrutiny be justified and effective? Would the proposed use of masterplans and design codes, as set out in Policy D2D, help to bring forward development and ensure high quality design? Would the proposed use of design review, as set out in Policy D2F,

- be justified and effective? In this regard, would the policies deal with strategic planning matters?
- e) Bearing in mind the resource implications for boroughs in carrying out Policy D2A1-11, would it be effective?
  - f) How would the policies be monitored, given the nature of many of the requirements?
  - g) Overall, would the policies provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans and development management in relation to this matter?

#### *Inclusive Design*

M35. Would Policy D3 provide a justified and effective strategic framework for delivering inclusive design? In particular:

- a) Would Policy D3 address matters that can be delivered and enforced through the planning regime, in particular the requirement for emergency evacuation? Would it strike the right balance between providing for inclusive design and delivering the planned level of growth?
- b) Would it be effective in ensuring the diverse needs of all Londoners are integrated into development proposals from the outset? Would it be effective in ensuring that the experience and views of all Londoners, particularly excluded groups, are taken into account in the evaluation of development proposals?
- c) In this respect, would it provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to this matter?

#### *Housing Quality and Standards*

M36. Would Policy D4 provide a justified and effective strategic framework for delivering quality housing? In particular:

- a) Would Policy D4 focus on matters of strategic relevance? In this respect, would it provide appropriate flexibility in relation to housing standards in light of the planned amount of quality housing and local circumstances? (outdoor space, internal space, balconies, single aspect) Would it effectively address matters of daylight and sunlight?
- b) In this respect, would it provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to this matter?
- c) Would it accord with national policy particularly in light of the Nationally Described Space Standards?

#### *Accessible Housing and Visitor Accommodation*

M37. Would Policy D5 provide a justified and effective strategic framework for delivering accessible housing? In particular:

- a) Would Policy D5 provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to this matter?
- b) Would it provide an effective framework for development management? In this regard, would the requirements set out in Policy D5A, in relation to

meeting Building Regulations requirement M4(3) and M4(2) be justified?  
Would this be an effective approach?

M38. Are the requirements for accessible bedrooms in visitor accommodation set out in Policy E10G justified, and do they relate to a matter which is of strategic importance to London?

#### *Density*

M39. Would Policy D6 on optimising density be effective in achieving the intentions in Policy GG2 on making the best use of land and is the policy approach justified especially bearing in mind the cumulative impact on the environment and infrastructure? In particular:

- a) Would the provisions of Policy D6 provide an effective strategic context for the preparation of local plans and neighbourhood plans? Would the detailed criteria provide an effective and justified basis for development management, are they all necessary and do they provide sufficient clarity about how competing considerations are to be reconciled by the decision-maker?
- b) Will leaving density to be assessed on a site-by-site basis compared to the matrix in The London Plan of 2011 be effective?

#### *Public Realm*

M40. Would Policy D7 provide a justified and effective strategic framework for delivering high quality public realm? In particular:

- a) Would Policy D7 relate to strategic planning matters, particularly in relation to street furniture and management and ongoing maintenance of the public realm?
- b) Would the criteria of the policy be justified and effective, in relation to matters such as sunlight, the natural environment and meanwhile uses?
- c) Overall, would it provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to this matter?

#### *Tall Buildings*

Written statements in response to M41 may be up to 3,000 words in length.

M41. Would Policy D8 provide a justified and effective strategic framework for the development of tall buildings? In particular:

- a) Would the local definition of what is considered a 'tall building' provide an effective strategic framework to guide the location of tall building development?
- b) Where there is no local definition of what is considered a 'tall building', would the definition at paragraph 3.8.2 be justified and would it be effective?
- c) Would Policy D8, generally provide an effective framework to guide the location of tall building development, taking account of its wider surroundings and any cumulative effect?
- d) Would it provide an effective strategic framework for the assessment of the impact of tall building development?

- e) Overall, would Policy D8 provide an effective and justified strategic framework for the preparation of local plans, neighbourhood plans and development management in relation to this matter?

#### *Basement Development*

M42. Would Policy D9, in addressing the negative impacts of large scale basement development below existing buildings relate to a matter of strategic importance to London? Would it provide an effective strategic framework to ensure the best use of land whilst protecting the local environment and the living conditions of residents?

#### *Safety, Security and Resilience*

M43. Would policies D10 and D11, in addressing matters including fire safety, refer to strategic planning matters? In particular, would policies D10 and D11 provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to this matter?

#### *Noise and Nuisance*

M44. Would policies D12 and D13 provide a justified and effective strategic framework to mitigate the impacts of existing noise and nuisance generating activities or uses on proposed new noise-sensitive development and reduce, manage and mitigate noise in relation to new development? In particular:

- a) Would Policy D12, in setting out the 'agent of change' principle, be necessary in light of paragraph 123 of the NPPF?
- b) Would the identification and protection of 'Quiet Areas' be effective, as set out in Policy D13B? Would it be justified?
- c) Would policies D12 and D13 provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to these matters?

### **Heritage and Culture**

#### *Conserving and Enhancing the Historic Environment*

M45. Would Policy HC1 provide an effective and justified approach to conserving and enhancing the historic environment? In particular:

- a) Would Policy HC1 provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to the historic environment?
- b) Would it provide sufficient detail to guide London boroughs in developing evidence that demonstrates a clear understanding of London's historic environment?
- c) Would the approach to development management be effective, justified and consistent with national policy in relation to designated and non-designated heritage assets?

### *World Heritage Sites*

M46. Would Policy HC2 provide an effective and justified approach to the conservation, promotion, active protection and interpretation of the outstanding universal value (OUV) of world heritage sites (WHS)? In particular:

- a) Would Policy HC2 be an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to the WHS? Would it provide sufficient guidance to London boroughs on the need for policies in Local Plans to protect OUV of WHS?
- b) Would Policy HC2 provide sufficient detail on the approach to 'setting' and 'buffer zones'? In this respect paragraph 7.2.4 refers to supplementary planning guidance? What is the up to date position on this? Would the policy be effective without this?
- c) Would the approach taken be consistent with paragraphs 132-134 of the NPPF, which sets out the way in which proposals affecting heritage assets should be assessed?

### *Strategic and Local Views*

Written statements in response to M47 may be up to 3,000 words in length.

M47. Would policies HC3 and HC4 provide an effective and justified approach to protect and enhance the composition and character of strategic views and their landmark elements in London? In particular:

- a) Would Policy HC3 be an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to the protection of those views?
- b) Policy HC3G and para 7.3.6 refer to local views. Are 'local views' a strategic matter? If so, what is the justification for giving such views the same degree of protection as strategic views? In this regard, would the policy be effective?
- c) Would the criteria in policy HC4 provide an effective and justified basis for development management? Would they provide sufficient clarity to enable a decision maker to reconcile competing considerations?

### *Culture and Creative Industries*

M48. Would Policy HC5 provide an effective and justified approach to supporting the continued growth and evolution of London's cultural facilities and creative industries? In particular:

- a) Would it provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to those matters?
- b) Would the identification of 'cultural quarters', comprising locally-distinct clusters of facilities, venues and related uses, be justified as set out in Policy HC5A2?
- c) Would it be effective in supporting the diversity in London's cultural venues, facilities and uses?
- d) Would the identification of 'creative enterprise zones' be effective in supporting creative industries? What justification is there that such an approach would 'help boost the local economy of more deprived areas and support regeneration'?

### *Night Time Economy*

M49. Would Policy HC6 provide an effective and justified approach to support the growth and diversification of London's night time economy (NTE)? In particular:

- a) Is the definition of 'strategic areas of night time activity' as set out in table A1.1 effective and justified?
- b) Does it strike the right balance between supporting the NTE and protecting the living conditions of residents and nearby uses in terms of anti-social behaviour, noise pollution, health and wellbeing and other issues?

### *Public Houses*

M50. Would Policy HC7 address detailed issues that would be more appropriately dealt with in local plans and neighbourhood plans? Would it provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to the protection of existing public houses and support for new public houses?

## **Social Infrastructure**

### *Delivering Social Infrastructure*

M51. Would Policy S1 provide an effective and justified approach to the development of London's social infrastructure? In particular would it be effective in meeting the objectives of policies GG1 and GG3 in creating a healthy city and building strong and inclusive communities? In particular:

- a) Would Policy S1, in requiring a needs assessment of social infrastructure and encouraging cross borough collaboration provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to the development of social infrastructure?
- b) Would it provide a justified definition of social infrastructure?
- c) Would it provide an effective development management framework for boroughs, particularly with regard to Policy S1D, F and G?

### *Health and Social Care Facilities*

M52. Would Policy S2 provide an effective and justified approach to support the provision of health and social care facilities in London? In particular:

- a) Would Policy S2 provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to the provision of health and social care facilities?
- b) Would it adequately provide for preventative health and social care to meet the aims of Policy GG3 'creating a healthy city'?
- c) Would it provide effective and justified guidance on development management matters with appropriate flexibility to reflect local circumstances?
- d) Overall, would it meet the aims of Policy GG3DA, in respect of planning for appropriate health and care infrastructure?



### *Education and Child Care Facilities*

M53. Would Policy S3 provide an effective and justified approach to support the provision of good quality education and childcare facilities in London? In particular:

- a) Would it provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to good quality education and childcare facilities?
- b) Would it provide appropriate guidance on development management matters taking account of local circumstances? Does it take account of the impacts of poor air quality on the provision of good quality education and childcare facilities in accordance with Policy GG3 DB? Should Policy S3A3 include a development size threshold to ensure a strategic approach to the policy? In the absence of a size threshold, would this be realistic, particularly in light of Policy H2, which increases the role of small sites in meeting London's identified housing need?

### *Play and Informal Recreation*

M54. Would Policy S4 address strategic matters of London wide importance relating to play and informal recreation? In particular:

- a) Would Policy S4 provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to play and informal space?
- b) In light of the need for increased densities and differing local contexts, would requirements as set out at Policy S4B2 be justified, particularly a space standard per child for accessible on site play provision? Overall would it provide sufficient flexibility to reflect local circumstances?

### *Sports and Recreation Facilities*

M55. Would Policy S5 provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to sports and recreation facilities? In particular:

- a) Would it provide appropriate strategic guidance on development management matters?
- b) Should it make specific reference to elite sports, stadium and playing fields?
- c) Would it strike the right balance between provision of good quality sports and recreational facilities and protection of green spaces?
- d) Would it be effective in protecting existing sports and recreation facilities?

### *Public Toilets*

M56. Would Policy S6, in relation to public toilets, address a strategic matter of London wide importance?

- a) If so, would it provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to the provision of public toilets?
- b) Would it be effective in ensuring the provision and future management of free publically accessible toilets including 'Changing Places' toilets as part of development proposals outlined in parts A and B of that policy?

- c) In light of the community toilet scheme supported by many boroughs, would it be effective?

### *Burial Space*

- M57. Would Policy S7 provide an effective and justified approach to the provision and reuse of burial space in London? In particular:
- a) Would Policy S7 provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to this matter?
  - b) Would it provide an appropriate strategic approach to guide London boroughs in developing a cross borough approach to this matter?

### **Central Activities Zone, Offices, Industry and Freight**

#### *Central Activities Zone including Isle of Dogs (north) ("CAZ")*

- M58. Would policies SD4 and SD5 be effective in ensuring an appropriate mix of housing, offices<sup>13</sup> and other development in different parts of, and outside, the CAZ to support:
- a) the "strategic functions" of the CAZ (paragraph 2.4.4);
  - b) "locally orientated uses" in the CAZ (paragraph 2.4.5) and Policy GG1 "building strong and inclusive communities";
  - c) Policy GG4 "delivering the homes Londoners need"; and
  - d) Policy GG5 "growing a good economy"?

#### *Offices*

- M59. Is Policy E1 justified and would it be effective in ensuring that identified needs for additional office floorspace are met in appropriate locations in accordance with national policy? In particular:
- a) Are the figures in Table 6.1 for projected office employment growth and office floorspace demand 2016-2041 in different parts of London justified?
  - b) Would the locations identified in parts C and D have sufficient capacity and be likely to deliver the amount of additional floorspace required such that needs in all parts of London can be met?
  - c) Are the "office guidelines" set out in Figure A1.4 justified, and is the way in which they are intended to be used in the implementation of part D2 clear?
  - d) Would policies E1D4 and SD7A1 provide an effective approach for office development in town centres that are not identified as having potential for speculative and/or mixed use office development in Figure A1.4?
  - e) Is the proposed use of Article 4 Directions set out in parts E and F clear and is it justified having regard to national policy, bearing in mind the minor suggested change to paragraph 6.1.6?
  - f) How would Policy E1 affect the implementation of Policy GG4 "delivering the homes Londoners need"?
  - g) Would policy E1(G) be effective in ensuring the availability of an adequate supply of low cost and affordable office space<sup>14</sup>?

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<sup>13</sup> Table 6.1 of the Plan indicates 367,700 additional office jobs in the CAZ 2016-2041.

<sup>14</sup> Note that policies E2 and E3 are considered under M60.

### *Low Cost and Affordable Business Space*

- M60. Are policies E2 and E3 justified and would they be effective? In particular:
- a) Are they necessary to address the strategic priorities of London, or do they extend to detailed matters that would be more appropriately dealt with through local plans or neighbourhood plans?
  - b) Would they be effective in helping to ensure that the accommodation needs of all micro, small and medium sized businesses, including those wishing to start up or expand, could be met in all parts of London?
  - c) Or would that objective be better achieved by market forces in the context of other policies in the Plan, including E1A, E4A, E4H, E5C and E6, as well as any relevant policies in local plans and neighbourhood plans?
  - d) How would policies E2 and E3 affect the implementation of policy GG5 "growing a good economy"?

### *Visitor Infrastructure*

- M61. Is Policy E10 justified and consistent with national policy and would it be effective in ensuring that the need for accommodation and other infrastructure for visitors can be met in appropriate locations? In particular:
- a) Is development of accommodation and other visitor infrastructure a matter of strategic importance to London, or a detailed matter that would be more appropriately dealt with through local plans or neighbourhood plans?
  - b) Would Policy E10D support the "strategic functions" of the CAZ (paragraph 2.4.4) and "locally orientated uses" in the CAZ (paragraph 2.4.5)?

### *Land for Industry, Logistics and Services to Support London's Economic Function*

Written statements in response to M62 may be up to 4,000 words in length.

- M62. Are policies E4, E5, E6 and E7 consistent with national policy and would they be effective in helping to ensure that sufficient suitable land and premises are available to meet the quantitative and qualitative needs for all foreseeable types of industrial<sup>15</sup> activity over the plan period? In particular:
- a) Are the industrial job growth projections and associated estimates of land and floorspace requirements justified?
  - b) Is the aim of ensuring no overall net loss of (i) industrial floorspace capacity and (ii) operational yard space capacity across London in designated Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS) justified and realistic, and would achieving that objective ensure the availability of a sufficient quantity of land and premises for industrial uses?
  - c) Are the borough-level capacity categorisations ("retain", "provide", or "limited release") set out in Table 6.2 justified, and would the proposed approach ensure a sufficient quantity of land and premises in different industrial property market areas?
  - d) Are there parts of London where significant amounts of additional industrial land are likely to be needed in addition to that which is currently in use and/or designated?

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<sup>15</sup> Reference to "industrial" or "industry" in these matters includes all types of economic activity referred to in policy E4A(1)-(9A) incorporating the Minor Suggested Changes.

- e) Is the approach to assessing floorspace and yard space capacity set out in paragraph 6.4.5 – 6.4.5B based on existing floorspace or floorspace assuming a 65% plot ratio (whichever is greater) justified and would it be effective?
- f) Is the approach set out in Policy E7D towards “non-designated industrial sites” (36% of total amount of industrial land<sup>16</sup>) justified and consistent with national policy?
- g) Would policies E4-E7 provide an effective strategic context for the preparation of local plans and neighbourhood plans?
- h) Are policies E4-E7 clear about how they would be implemented through the determination of planning applications, particularly in terms of the role of “planning frameworks<sup>17</sup>” and “a co-ordinated masterplanning process in collaboration with the GLA”, and the relationship between policies E5D and E7B?
- i) Is Policy E7F, along with Policy SD2, likely to be effective in terms of facilitating the substitution of some of London’s industrial capacity to related property markets beyond London’s boundary, and would achieving such an objective contribute to the achievement of sustainable development?
- j) What evidence is there about the feasibility of delivering schemes on industrial land that would lead to the provision of net additional industrial floorspace along with the provision of significant numbers of new homes on the same site?
- k) How would policies E4-E7 affect the implementation of Policy GG4 “delivering the homes Londoners need”?

#### *Freight, Deliveries and Servicing*

M63. Would Policy T7, along with policies E4-E7, provide an effective strategic framework to ensure that suitable sites and infrastructure are provided for all types of freight, deliveries and servicing in an integrated and sustainable manner in all parts of London? In particular:

- a) are all of the requirements of Policy T7 necessary to address the strategic priorities of London, or
- b) do they extend to detailed matters that would be more appropriately dealt with through local plans or neighbourhood plans?

### **Green Infrastructure and Natural Environment**

#### *Green infrastructure, open space and urban greening*

M64. Would the policies for green infrastructure assist in creating a healthy city in accordance with Policy GG3 and will they provide an effective strategic context for the preparation of local plans and neighbourhood plans? Are Policies G1, G4 and G5 and their detailed criteria justified and necessary and would they provide an effective basis for development management? How would they affect the implementation of Policies GG4 and GG5 on delivering the homes Londoners need and growing a good economy? In particular:

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<sup>16</sup> Plan paragraph 6.4.3.

<sup>17</sup> “Planning frameworks” are defined in the Glossary and referred to in paragraphs 6.5.3 and 6.7.2 and policy SD1.

- a) Is the Mayor's target of making more than 50 percent of London green by 2050 and its designation as a National Park City justified and achievable?
- b) Do the policies adequately reflect the qualitative differences and value of different types of green infrastructure, including open and green space and the role of waterways (blue space) and the access to it?
- c) Given the All London Green Grid is it necessary for Boroughs to prepare green infrastructure strategies in accordance with Policy G1 B?
- d) Does Policy G4 provide sufficient protection for the amount and quality of all green and open space including private gardens and allotments and on housing estates? Is the categorisation in Table 8.1 justified? Should the policy refer to the improvement of existing spaces?
- e) Is the expectation that Boroughs develop an Urban Greening Factor based on Policy G5 and Table 8.2 justified with particular regard to viability and practicality?

### *Green Belt and Metropolitan Open Land*

M65. Would Policies G2 and G3 provide an effective strategic context for the preparation of local plans and neighbourhood plans? Are the policies and detailed criteria justified and necessary and would they provide an effective basis for development management? In particular:

- a) Is Policy G2 on London's Green Belt consistent with national policy and, if not, is this justified?
- b) Is the 'swapping' of Metropolitan Open Land (MOL) referred to in paragraph 8.3.2 and allowed for by Policy G3 AC justified? Do the other detailed criteria provide sufficient clarity about inappropriate development and how any boundary alterations should proceed? Should parts of the River Thames be designated as MOL?

### *Biodiversity, trees, food growing and geodiversity*

M66. Would Policies G6-G9 assist in creating a healthy city in accordance with Policy GG3 and will they provide an effective strategic context for the preparation of local plans and neighbourhood plans? Are the individual policies and detailed criteria justified and necessary and would they provide an effective basis for development management? In particular:

- a) Will Policy G6 be likely to achieve net gains in biodiversity and consistent with national policy? Are specific provisions relating to European sites in BA necessary given other legislative requirements?
- b) Will Policy G7 be effective in protecting trees and woodland especially ancient woodland and veteran trees and in increasing the extent of London's urban forest?
- c) Does Policy G8 provide sufficient encouragement to food growing and urban agriculture?

## **Sustainable Infrastructure**

### *Minimising Greenhouse Gas Emissions, Energy Infrastructure and Managing Heat Risk*

Written statements in response to M67 may be up to 3,000 words in length.

M67. Would Policies SI2, SI3 and SI4 assist in creating a healthy city in accordance with Policy GG3 and provide an effective strategic context for the preparation of local plans and neighbourhood plans? How would they affect the implementation of Policies GG4 and GG5 on delivering the homes Londoners need and growing a good economy? Are these policies and their detailed criteria justified and necessary and would they provide an effective basis for development management? In particular:

- a) In seeking to minimise greenhouse gas emissions does Policy SI2 provide sufficient clarity about the zero-carbon target and how and when it is to be achieved? Is the target justified and consistent with national policy and other policies in the draft London Plan? Are all the criteria and supporting text necessary?
- b) How are unregulated emissions and whole life-cycle carbon at Policy SI2 DA and DB to be calculated and is this justified?
- c) Are the provisions in Policy SI3 relating to energy masterplans justified? Should they be limited to large-scale development locations and is the list of items to be identified comprehensive?
- d) Are the provisions in Policy SI3 relating to major development proposals within Heat Network Priority Areas justified? Is the sequence and content of the heating hierarchy justified having regard, amongst other things, to greenhouse gas emissions?
- e) Would Policy SI4 adequately address the contribution of the design of outdoor space to urban cooling without creating other adverse impacts and does it consider overall thermal comfort?
- f) What is the justification for the cooling hierarchy as set out in Policy SI4B?
- g) Do the policies place sufficient emphasis on the use of renewables and energy efficiency?

### *Waste and Circular Economy*

The Mayor responded to the Panel's Preliminary Question PQ14 relating to waste management on Friday 7 September 2018.

M68. Would Policy SI7 provide a justified and effective approach to reducing waste and supporting the circular economy? Would it further the aims of Good Growth policies GG1-GG6? Would it focus on planning matters of London wide importance? In particular:

- a) Would the definition of 'circular economy' as set out in paragraph 9.7.1 be justified and would it be effective in reducing waste, increasing material reuse and recycling and reductions in waste going for disposal?
- b) Would Policy SI7 provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to this matter? In particular what is the justification for the waste to landfill and recycling targets set out in Policy SI7A4? Could these be effectively monitored? Bearing in mind the timescales involved would these be effective?
- c) Would it provide an effective framework for development management? In particular, would the requirement for a Circular Economy Statement in relation to referable applications be effective and justified?

Written statements in response to M69 may be up to 3,000 words in length.

M69. Would Policy SI8 and SI9 provide a justified and effective approach to providing for London's waste and promoting net waste self-sufficiency? In particular:

- a) Is the target of net self-sufficiency by 2026 as set out in Policy SI8A1 realistic? What is the justification for excluding excavation waste within the net self-sufficiency target? In light of this would it be justified?
- b) Are the Borough forecast arisings of household and commercial and industrial waste as set out in table 9.1 based on robust evidence? What waste streams are excluded and what is the justification for excluding them? In light of this are they realistic and justified?
- c) Is the apportionment of waste to be managed in Boroughs, as set out in table 9.2, justified? What waste streams are excluded from the apportionments and what are the provisions to deal with those waste streams? As some waste streams are not included would the apportionments be effective in ensuring that the waste targets in Policies SI7 and SI8, the Borough apportionments in table 9.2 and the aspirations for net self-sufficiency and shifting towards a low carbon circular economy would be met?
- d) Would they provide an effective framework for development management? In particular, would the criteria in Policy SI8C accord with national policy? Would Policy SI8D provide an effective and justified framework for the evaluation of proposals for new waste sites or to increase capacity of existing waste sites?
- e) Would they be effective in safeguarding existing waste sites particularly in relation to Policy SI9C?

### *Aggregates*

M70. Would Policy SI10 provide a justified and effective strategic framework for the steady and adequate supply of aggregates to support construction in London? In particular:

- a) Would the approach taken to land-won aggregates accord with national policy? What is the justification for the landbank apportionment in the four boroughs identified? Would the approach taken be effective in ensuring an adequate supply of aggregates to meet the level of growth envisaged?
- b) In the absence of a target for recycling/reuse of construction, demolition and excavation waste by 2020 and the recycling of that waste as aggregate, would the policy be effective?
- c) Would the approach taken to safeguarding resources and facilities, as set out in SI10C, be effective in ensuring the steady and adequate supply of aggregates to support construction in London?
- d) Would Policy SI10 adequately address the full range of environmental and other impacts of aggregate facilities?
- e) Would it provide appropriate, justified and effective guidance on development management matters?

### *Hydraulic Fracturing*

M71. Would Policy SI11 be consistent with national policy<sup>18</sup> in respect of the exploration, appraisal or production of shale gas via hydraulic fracturing? If not, what is the justification for the approach taken?

### *Flood Risk Management*

M72. Would Policy SI12 provide a justified and effective strategic framework for flood risk management in London? In particular:

- a) Would it provide a justified and effective strategic framework for the preparation of local plans?
- b) Would it provide appropriate, justified and effective guidance on development management matters?
- c) Overall, would it provide for the timely delivery and funding of flood risk management?

### *Sustainable Drainage*

M73. Would Policy SI13 provide a justified and effective approach to sustainable drainage in London? In particular:

- a) Would it provide a justified and effective strategic framework for the preparation of local plans?
- b) Would it provide appropriate, justified and effective guidance on development management matters? In particular, what is the justification for the drainage hierarchy as set out in Policy SI13B? Would it be appropriate, justified and would it be effective?
- c) What is the justification for developments to achieve 'green field run off rates'? Is this based on robust evidence? Would this be an effective approach to sustainable drainage in London?

### *Air Quality and Water Infrastructure*

M74. Would the policies for air quality and water infrastructure assist in creating a healthy city in accordance with Policy GG3 and provide an effective strategic context for the preparation of local plans and neighbourhood plans? Are the individual policies and detailed criteria justified and necessary and would they provide an effective basis for development management? In particular:

- a) Are the requirements in Policy SI1 clear and will they be effective in improving air quality whilst delivering the homes Londoners need in accordance with Policy GG4?
- b) Will Policy SI5 ensure adequate provision for water infrastructure and encourage a sustainable use of resources? Is the requirement to use the optional requirement of the Building Regulations justified?

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<sup>18</sup> National policy as set out in the NPPF PPG Minerals and the WMS Planning for Onshore Oil and Gas: Written Statement (16 September 2015) and Energy Policy: Written statement (17 May 2018)



## *Digital Connectivity Infrastructure*

M75. Given that this matter is addressed in the Building Regulations, would Policy SI6, in relation to digital connectivity infrastructure be justified and effective?

- a) Notwithstanding the above, what is the justification for ensuring sufficient ducting space for full fibre connectivity infrastructure or other affordable 1GB capable connection? Would this adequately provide for digital connectivity to meet the aims of Policy GG5 'growing a good economy'?
- b) Would the criteria in this policy provide an effective framework for development management?
- c) Would Policy SI6 provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans in relation to digital connectivity infrastructure?

## **Transport**

### *Transport Schemes and Development*

M76. (a) Are all of the transport schemes set out in Table 10.1 necessary and adequate to deliver the development proposed in the Plan? (b) In the context of the identified funding gap of £3.1 billion per year, is there a reasonable prospect that the transport schemes set out in Table 10.1, and any other essential strategic transport schemes, will be delivered in a timely fashion in relation to the timing of development proposed in the Plan?

M77. Would the successful implementation of the policies in the Plan, including delivery of the transport schemes set out in Table 10.1, be likely to achieve (a) the target of 80% of all trips in London being made by foot, bicycle or public transport by 2041, and (b) the mode shares in central (95%), inner (90%) and outer (75%) London set out in Figure 10.1A?

M78. (a) Are all of the requirements of policies T1 to T4 necessary to address the strategic priorities of London, or do they extend to detailed matters that would be more appropriately dealt with through local plans or neighbourhood plans? (b) Are the expectations of development proposals relating to the provision of improvements to transport infrastructure and services set out in policies T1A, T2D, T3B-E, T4, and T9 justified and consistent with national policy<sup>19</sup>?

M79. How would delivery of the development proposed in the Plan (particularly the housing and employment development in Opportunity Areas and housing targets in outer Boroughs) and the associated car parking standards affect the

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<sup>19</sup> Expectations of development proposals include: support and facilitate the transport schemes set out in Table 10.1 (policy T1A(2)); provide mitigation to address any adverse transport impacts, including cumulative impacts (policies T4C and T9C); provide public transport and active travel infrastructure where the ability to absorb increased travel demand has been exhausted and existing public transport is insufficient (policy T4D); mitigate the cumulative impacts of development on public transport and the road network capacity (policy T4E); support capacity, connectivity and other improvements to the bus network (policy T3E); not increase road danger (policy T4F); demonstrate how they will deliver the ten Healthy Streets Indicators set out in Figure 10.1 (policy T2D(1)); and submit Transport Assessments, Travel Plans, Parking Design and Management Plans, Construction Logistics Plans, and Delivery and Servicing Plans in accordance with Transport for London Guidance (policy T4B).

safety, reliability and/or operation of the motorways (M1, M4, M11 and M25) and strategic trunk roads in and around London?<sup>20</sup>

M80. How would delivery of the Plan's transport policies and schemes affect (a) the objectives of Policy GG1 "building strong and inclusive communities" and advancing equality of opportunity as required by the Equalities Act; and (b) the objectives of policies GG3 "creating a healthy city", SI1 "improving air quality", and SI2 "minimising gas emissions"?

#### *Car Parking*

M81. Are all of the requirements of policies T6 and T6.1 to T6.5 necessary to address the strategic priorities of London, or do they extend to detailed matters that would be more appropriately dealt with through local plans or neighbourhood plans? In particular:

- a) Should the Plan allow local plans and neighbourhood plans to apply the maximum car parking standards flexibly to take account of local evidence including about car ownership and use; parking stress; public transport; walking and cycling; the scale, mix and design of particular developments; the character and appearance of an area; and economic viability?
- b) Are the requirements of policies T6 and T6.1 to T6.4 relating to the provision of infrastructure for electric or other ultra-low emission vehicles justified and consistent with national policy?

#### *Car Parking: Residential*

M82. Is the approach to non-disabled persons residential car parking set out in policies T6 and T6.1A-F justified, and would it be effective in helping to helping to achieve sustainable development? In particular:

- a) Are the maximum standards set out in Table 10.3 justified?
- b) Is the requirement for all large-scale purpose-built shared living, student accommodation and other sui generis residential uses to be car-free (other than disabled persons parking) justified?

M83. Is the approach to disabled persons residential car parking set out in policies T6B, T6D and T6.1G-H justified, and would it be effective in helping to helping to achieve sustainable development? In particular:

- a) Is the requirement for a minimum of 3% of dwellings on residential developments of ten or more units to be provided with at least one designated disabled persons parking bay justified (Policy T6.1G(1))?
- b) Is Policy T6.1G(2), relating to the potential provision of an additional 7% of dwellings being provided with a designated disabled persons bay, justified and would it be effective?
- c) Are the detailed requirements of Policy T6.1H justified and consistent with national policy, and would they be effective?

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<sup>20</sup> The Mayor responded to the Panel's Preliminary Question PQ12 relating to this matter on Friday 7 September 2018.

### *Car Parking: Non Residential Uses*

M84. Is the approach to parking for non residential uses set out in policies T6 and T6.2 to T6.5 justified, and would it be effective in helping to helping to achieve sustainable development? In particular:

- a) Are the maximum standards for offices set out in Table 10.4 justified?
- b) Is the approach to commuter and operational parking for industrial and storage or distribution uses set out in Policy T6.2C and T6.2F justified and consistent with policies E4-E7?
- c) Are the maximum standards for retail set out in Table 10.5 justified?
- d) Is the approach to hotel and leisure uses parking set out in Policy T6.4 justified?
- e) Are the standards for non-residential disabled persons parking set out in Table 10.6 justified?
- f) Is the requirement for existing parking provision to be reduced to meet the maximum standards when sites are redeveloped justified (Policy T6I)?
- g) How would the approach to non-residential car parking affect the objectives of Policy GG5 "growing a good economy" and the vitality and viability of town centres in the context of policies SD6-SD9 and E9?

### *Cycling*

M85. Is Policy T5 justified and consistent with national policy, and would it be effective in helping to helping to achieve sustainable development? In particular:

- a) Are all of the requirements of Policy T5 necessary to address the strategic priorities of London, or do they extend to detailed matters that would be more appropriately dealt with through local plans or neighbourhood plans?
- b) Are the minimum cycle parking standards set out in Table 10.2 justified?
- c) Should the Plan allow local plans and neighbourhood plans to apply the minimum cycle parking standards flexibly to take account of local evidence?

### *Waterways*

M86. (a) Does the Plan contain justified and effective policies to promote and encourage the use of the River Thames and other waterways for the provision of passenger transport services and the transportation of freight? (b) Are all of the requirements of policies SI14 to SI17 necessary to address the strategic priorities of London, or do they extend to detailed matters that would be more appropriately dealt with through local plans or neighbourhood plans?

### *Aviation*

The Mayor's response to Preliminary Question 13 is relevant to this matter.

M87. (a) Are the requirements of Policy T8 necessary to address the strategic priorities of London and, if so, would they be effective in that regard? (b) Or does policy T8 cover matters that are dealt with by national policy and/or would be more appropriately dealt with through local plans or neighbourhood plans? (c) Are changes to Policy T8 and/or other parts of the Plan necessary to ensure consistency with national policy relating to Heathrow Airport including the

*Airports National Policy Statement: new runway capacity and infrastructure at airports in the South East of England (June 2018)?<sup>21</sup>*

## **Town Centres and Retailing**

### *Town Centre Network*

M88. Is the town centre network set out in the Plan justified and would it be effective in ensuring that identified needs for main town centre use developments are met in appropriate locations in accordance with national policy? In particular:

- a) Is the existing town centre network classification of (i) international, (ii) metropolitan, (iii) major and (iv) district centres illustrated on Figure 2.17 and set out in Table A1.1 justified?
- b) Given the definitions of the classifications of town centres set out in Annex 1 and Figure 2.18, is the identification of centres other than "international" and "metropolitan" in the Plan justified and consistent with national policy relating to town centres and compliant with legislation relating to the purpose of a spatial development strategy?
- c) Are the future potential changes to the town centre network illustrated on Figure A1.1 and set out in Table A1.1 justified?
- d) Are the classifications, as set out in Table A1.1 and described in Annex 1, for (i) night-time economy functions, (ii) commercial growth potential, and (iii) residential growth potential justified?

### *Retailing*

M89. Would policies SD6, SD7, SD8, SD9 and E9B provide an effective strategic framework for the preparation of local plans and neighbourhood plans relating to town centres and all types of main town centre use development (including bulky goods retailing), that is consistent with national policy?

M90. Is the approach to development management set out in policies SD6, SD7, SD8, SD9 and E9BA justified and consistent with national policy and would it be effective in terms of:

- a) ensuring that identified needs for all forms of main town centre uses, including bulky goods, are accommodated in appropriate locations in accordance with national policy;
- b) requiring large scale commercial development (over 2,500sqm of A Use Class floorspace) to support the provision of small shops and other commercial units (including "affordable units" where there is evidence of local need); and
- c) supporting Policy GG4 "delivering the homes Londoners need"?

### *Hot Food Takeaways*

M91. Are policies E9C and E9D relating to proposals containing hot food takeaways justified and consistent with national policy and guidance about

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<sup>21</sup> The Mayor responded to the Panel's Preliminary Question PQ13 relating to this matter on Friday 7 September 2018.

healthy communities and limiting the proliferation of certain use classes in identified areas<sup>22</sup>. In particular:

- a) Is the development of hot food takeaways and associated planning conditions a matter of strategic importance to London, or a detailed matter that would be more appropriately dealt with through local plans or neighbourhood plans?
- b) What evidence is there indicating high levels of obesity, deprivation and general poor health in London?
- c) What evidence is there of over-concentration and clustering of hot food takeaways in London?
- d) Would restricting development of hot food takeaways within 400 metres walking distance from the entrances and exits of existing and proposed primary and secondary schools positively support the delivery of policy GG3 "creating a healthy city"?

## **Viability, Delivering the Plan and Monitoring**

### *Viability and Delivering the Plan*

M92. Would the cumulative cost of the policy requirements set out in the Plan, along with any other national and local requirements, threaten the economic viability of development and put implementation of the Plan at serious risk<sup>23</sup>?

M93. Is Policy DF1 justified and consistent with national policy, and would it be effective? In particular:

- a) Would the policy be effective in helping to ensure the timely delivery of infrastructure to support development proposed in the Plan?
- b) Is the approach to viability assessments set out in parts A, B and C consistent with national policy and is it necessary for this to be set out in the Plan rather than left to be determined at the local level?
- c) Is the infrastructure prioritisation set out in part D justified?

### *Monitoring*

M94. (a) Would the key performance indicators and measures set out in Table 12.1 ensure that the Plan can be effectively monitored such that the Mayor and others can respond effectively if policies are not delivering the expected outcomes, including those set out in Good Growth policies GG1 to GG6? (b) Should the Plan set out measures that would be taken in the event that monitoring demonstrates that the expected outcomes are not being delivered?

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End of Annex 1

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<sup>22</sup> PPG-ID-53-006-20170728.

<sup>23</sup> NPPF (2012) paragraphs 173 and 174.