

RE: EXTERNAL: RE: City of London Local plan

R0103

James Stevens [REDACTED]

Wed 6/5/2024 1:03 PM

To: Planning Policy Consultations <PlanningPolicyConsultations@cityoflondon.gov.uk>

THIS IS AN EXTERNAL EMAIL

Many thanks.

From: Planning Policy Consultations <PlanningPolicyConsultations@cityoflondon.gov.uk>

Sent: 05 June 2024 09:41

To: James Stevens [REDACTED]

Subject: EXTERNAL: RE: City of London Local plan

Caution: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. When in doubt, contact your IT Department

Hi James,

I am emailing to confirm receipt.

Best,
Michelle



Planning Policy Consultations

Environment Department | City of London | Guildhall | London EC2V 7HH
Planningpolicyconsultations@cityoflondon.gov.uk | www.cityoflondon.gov.uk

From: James Stevens [REDACTED]

Sent: Friday, May 31, 2024 10:42 AM

To: Planning Policy Consultations <PlanningPolicyConsultations@cityoflondon.gov.uk>

Subject: City of London Local plan

THIS IS AN EXTERNAL EMAIL

Dear Sir / Madam

Please find attached the HBF's representations on the local plan.

I would be most grateful if you could acknowledge receipt and register my wish to be involved in the examination in public in due course.

James

James Stevens MRTPI

Director for Cities

HOME BUILDERS FEDERATION
[REDACTED]



THIS E-MAIL AND ANY ATTACHED FILES ARE CONFIDENTIAL AND MAY BE LEGALLY PRIVILEGED. If you are not the addressee, any disclosure, reproduction, copying, distribution or other dissemination or use of this communication is strictly prohibited. If you have received this transmission in error please notify the sender immediately and then delete this e-mail. Opinions, advice or facts included in this message are given without any warranties or intention to enter into a contractual relationship with the City of London unless specifically indicated otherwise by agreement, letter or facsimile signed by a City of London authorised signatory. Any part of this e-mail which is purely personal in nature is not authorised by the City of London. All e-mail through the City of London's gateway is potentially the subject of monitoring. All liability for errors and viruses is excluded. Please note that in so far as the City of London falls within the scope of the Freedom of Information Act 2000 or the Environmental Information Regulations 2004, it may need to disclose this e-mail. Website: <http://www.cityoflondon.gov.uk>

Development Plans Team
Environment Department
City of London Corporation
Guildhall
London
E2P 2EJ

31 May 2024

Email: planningpolicyconsultations@cityoflondon.gov.uk

Dear Sir / Madam

City of London Local Plan Regulation 19 consultation

Thank you for consulting on the Regulation 19 version of the City of London Local Plan. The following response is provided by James Stevens, Director for Cities, on behalf of the Home Builders Federation (HBF).

The Home Builders Federation (HBF) is the representative body of the home building industry in England and Wales. The HBF's member firms account for some 80% of all new homes built in England and Wales in any one year, and include companies of all sizes, ranging from multi-national, household names through regionally based businesses to small local companies. Private sector housebuilders are also significant providers of affordable homes, building 50% of all affordable homes built in the last five years, including all homes for social rent.

James Stevens contact details are:

Home Builders Federation
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

HBF would like to register its wish to participate in the examination hearings on the matters of soundness raised by these representations.

Chapter 4: Housing

Strategic Policy S3: Housing

The London Plan requires 1,460 net additional homes between 2019/20 and 2028/29. It expects this requirement to be delivered by 2028/29. This equates to an annual average of 146 dwellings per annum (146 dpa).



Meeting the London Plan requirement

The requirement for the period up to 2028/29 is unsound because it is fewer homes than the number required by the London Plan.

We agree that the London Plan requirement for 1,460 homes will need to be delivered in full by 2028/29, as required by Policy H1 of the London Plan.

We note paragraph 4.1.10 of the draft Local Plan that states that this requirement will be delivered by 2029/30. This is one year later than the London Plan requires. The City of London should ensure that the London Plan housing requirement is provided in full by 2028/29.

The housing requirement for the period from when the draft Local Plan is expected to be adopted – possibly 2025/26 – up to the end date of the current London Plan in 2028/29 – will need to be recalculated. This will take into account net completions since 2019/20. Although the draft Local Plan says this will be 686 dwellings between 2025/26 to 2029/30 this will depend on: a) net completions since 2019/20 and b) meeting the requirement of 1,460 dwellings in full by 2028/29.

We have considered the GLA's housing completions dashboard to gain a sense of whether the 686 dwellings figure cited in the draft Local Plan will be adequate. This provides the following figures for each year since 2019/20:

Year	Completions	Target	% of target
2022/23	9	146	6%
2021/22	432	146	296%
2020/21	67	141	48%
2019/20	97	141	69%

This indicates that 605 dwellings have been delivered so far. This would suggest a residual requirement for 855 net additional dwellings are needed by 2028/29. The Council may have figures for the year 2023/24, and GLA will do soon, to update this and provide a new residual figure, but at present, based on the information available, the requirement for the period to 2028/29 would be too few.

The GLA figures for 2019/20 and 2020/21 do seem to be at odds with the Government's figures for the Housing Delivery Test for 2022. The latter records the following figures:

2019/20	2020/21	2021/22
297	206	432

An explanation for the difference would be helpful so that there is an agreed figure for net completions against the London Plan target.

Setting a housing requirement for the plan period spanning 2029/30 to 2039/40

For the period from 2029/30 to 2039/40 the City of London proposes a figure of 102 dwellings per year.

The London Plan only sets a clear housing target up to 2028/29. For a plan period that extends beyond this paragraph 4.1.11 advises:

If a target is needed beyond the 10 year period (2019/20 to 2028/29), boroughs should draw on the 2017 SHLAA findings (which cover the plan period to 2041) and any local evidence of identified capacity, in consultation with the

GLA, and should take into account any additional capacity that could be delivered as a result of any committed transport infrastructure improvements, and roll forward the housing capacity assumptions applied in the London Plan for small sites.

However, this is not set out in policy, and London boroughs have adopted various approaches to setting a housing requirement for the period post dating 2028/29, including rolling forward the London Plan target. The City of London's approach of using the standard method (see para. 4.1.10) would also be a sound approach, as it conforms with national planning policy.

The alternative, following the guidance in the London Plan would require the City of London to draw upon evidence of housing land capacity and to roll forward the small sites allowance. The GLA SHLAA 2017 for phases 4 and 5, which cover the periods 2029-2034 and 2034-2041 (as set out in Table 2.1), shows in Table 10.1 an identified capacity for 204 homes for phase 4 and 35 for phase 5. This would be equivalent to just 24 dwellings a year. Added to the small sites target, which averages at 74 dwellings a year, this would total to 98 dwellings per year.

The City of London's figure, based on the standard method, is marginally higher than the Mayor of London's advised approach, so it would make a greater contribution towards meeting the housing needs of London, which has a major undersupply of 14,000 homes a year at least compared to need. The need is for 66,000 homes a year and the capacity is for 52,000 homes a year. See paragraph 4.1.1 of the London Plan.

A new London Plan is likely to be adopted before the end of the current London Plan which will provide new targets for every London borough and the City of London.

Policy HS7: Older persons housing

Table 4.3 in the London Plan provides the annual borough benchmarks for specialist older persons housing for the period 2017-2029. For the City of London it expects 10 units of older persons housing a year.

By contrast, Policy HS7, part 2 of the draft Local Plan "seeks to provide a minimum of 86 net additional dwellings for older persons between 2023 and 2040". This is too few. The London Plan for the period 2019/20 to 2028/29 would require 100 units of older persons housing in the City of London. The Council may have secured some older persons housing over the last five years, thereby reducing the remaining requirement. It would be helpful to know what this figure is, but on the basis of the information currently available, a total of just 86 net additional homes for older people would seem too few.

Second, we note that the figure of 86 homes for older people derives from the City of London's SHMA. This contrasts unfavourably with the GLA's assessment to inform the London Plan. Greater London is treated as a single housing market area, where need is assessed for all of London, and targets set based upon judgements about land availability in the various 35 London local planning authorities (including the City of London and the two development corporations). Therefore we would challenge the appropriateness of substituting a local assessment of need for the GLA pan-London assessment.

We recommend that the Policy HS7 is amended to refer to the London Plan benchmark figure of 10 homes for older people per year, while clarifying that this does not include extra-care accommodation. This would bring the policy into line with the aims of Policy H13 of the London Plan.

Policy IN2: Infrastructure Capacity

The policy is unsound because it is contrary to national policy.

It is unclear what the intent is of this policy, especially part 1 which states:

Development must not lead to capacity or reliability issues in the surrounding area and capacity projections must take into account the impacts of climate change which will influence future infrastructure demand.

We are concerned about what this means for housebuilding in terms of water and electrical supply. Housebuilders cannot resolve questions relating to the adequacy of energy and water services, and nor should they. These are matter for the utilities sector and their regulators. As paragraph 194 of the NPPF states:

The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.

The requirements in paragraph 8.3.4 are contrary to national policy. The utilities sector is under a duty to provide new residential development with a connection. Applicants are not required to provide written statements of intent to secure planning permission.

Second, we are not sure what is required 'to take account the impact of climate change which will influence future infrastructure demand'. This is vague and could be interpreted in various ways. For example, it is unclear what might represent the 'future' in the decision-maker's mind. Third, how would an applicant project the future capacity, for example, of water and electricity?

The ability of the utilities sector to serve the level of residential development required by the local plan is an issue that should be addressed at the strategic level, such as, in the case of water, the water resources management plan produced by the water company (Thames Water in this case). The plan-maker may consider the adequacy of these services when making the local plan, and if the plan-maker, in conjunction with the relevant statutory adviser, considers that these services are inadequate, then the plan-maker must prepare a different strategy, or raise its concerns with government. Questions relating to the adequacy of utilities cannot be resolved by housebuilders.

Policy OS4: Biodiversity net gain

Part 1 is unsound because it is contrary to national policy.

Part 1 departs from national policy by specifying a different approach to calculating and meeting biodiversity net gain.

The BNG regulations and guidance in termed in relation to meeting a 10% net gain, and the 10% has to be calculated using the approved metric. The City should not be specifying in policy a different approach to calculating BNG. As the PPG states at Paragraph: 006 Reference ID: 74-006-20240214:

Plan-makers should be aware of the statutory framework for biodiversity net gain, but they do not need to include policies which duplicate the detailed provisions of this statutory framework. It will also be inappropriate for plans or supplementary planning documents to include policies or guidance which are incompatible with this framework, for instance by applying biodiversity net gain to exempt categories of development or encouraging the use of a different biodiversity metric or biodiversity gain hierarchy.

The City's approach is unsound because it does not comply with the regulations and the guidance. Also, the City's approach will be ineffective because it will be unfamiliar to applicants thereby making it more difficult to implement, potentially adding to delays in delivery. The challenge with delivering BNG, especially in its early years, will be for applicants to familiarise themselves with the

concept. This process of familiarisation will be assisted where people are able to translate experiences from elsewhere to practice in the City. The City's approach, by stipulating a different approach, will militate against that process of familiarisation.

The City's alternative approach may have merit. That could inform a future review of the government's approach to BNG. In the meantime, the City should adhere to the national approach. If not, then it will need to justify why it is departing from the agreed national approach.

The City to amend the policy, remove its alternative method of calculating this, and stipulate a 10% improvement in BNG.

Conversely, and better, would be to remove the policy for BNG altogether as this is unnecessary as it is a statutory duty. As the PPG says:

Plan-makers should be aware of the statutory framework for biodiversity net gain, but they do not need to include policies which duplicate the detailed provisions of this statutory framework.

(Paragraph: 006 Reference ID: 74-006-20240214).

Part 3 is unsound because it is ineffective.

While we recognise that the City would prefer for its biodiversity net gain requirement to be provided on site, it should acknowledge that this could be very challenging especially for smaller residential developments. We recommend that the policy is amended to provide greater flexibility to applicants to deliver the biodiversity requirement in other ways across the City of London, and as a last resort, elsewhere in London.

Although we recognise that the policy does allow applicants to provide BNG offsite, it only does so as 'a last resort'. Changing the policy to enable applicants to have the choice to meet the requirement either on site or offsite, but outside of the City as 'a last resort' would inject an element of flexibility into the policy and prevent it from becoming a barrier to housing delivery.

Strategic Policy S26: Planning contributions

Part 3 is unsound because it is contrary to national policy.

Part 3 attempts to disapply the vacant building credit (VBC) in the City. This is contrary to national policy. The VBC was introduced by the Government in 2014 to incentive the redevelopment of previously developed land. The Mayor of London attempted to remove the VBC through the London Plan but the examining panel ruled against this blanket dis-application.

Part 3 of the policy should be removed.

Yours faithfully,

James Stevens
Director for Cities

██
██

[REDACTED]