

265 Burlington Road

LPA Position Statement – Secretary of State’s response to the Mayor’s letter 10th December 2020

Date: 14th December 2020

- 1.1 On 9th December, the Mayor of London, Sadiq Khan wrote to the secretary of State for Housing, Communities and Local Government, Robert Jenrick MP, to advise of his intention to formally approve a new draft London Plan, despite not having received the Secretary of State’s response to the minor amendments put forward by the Mayor seeking to address the Secretary of State’s directions issued under Section 337 of the Greater London Authority Act 1999 on 13 March 2020.
- 1.2 The Secretary of State responded to this letter on 10th December with a list identifying further changes required to the 11 Directions, which were issued on 13th March. The letter also lists two further directions relating to Green Belt land and Policy D9 (Tall Buildings).
- 1.3 In relation to Tall Buildings, the letter states:

“There is clearly a place for tall buildings in London, especially where there are existing clusters. However, there are some areas where tall buildings don’t reflect the local character. I believe boroughs should be empowered to choose where tall buildings are built within their communities. Your draft policy goes some way to dealing with this concern. In my view we should go further and I am issuing a further Direction to strengthen the policy to ensure such developments are only brought forward in appropriate and clearly defined areas, as determined by the boroughs whilst still enabling gentle density across London. I am sure that you share my concern about such proposals and will make the required change which will ensure tall buildings do not come forward in inappropriate areas of the capital.”
- 1.4 The Council welcomes this clarification and protection for areas which do not have existing clusters of tall buildings and where they do not reflect local character. The appeal scheme would not allow for the gentle densification as envisaged by the Secretary of State, due to its stark contrast with the surrounding scale of development.
- 1.5 Annex A to the letter sets out updated changes to the London Plan as a result of Directions.
- 1.6 Not all the updated changes are relevant to the appeal scheme. Below is a list of the directions relevant to the appeal scheme and the LPA’s comments on those changes.
- 1.7 LPA comments to Annex A:

DR1 Policy H10 (A)(9)	No comment
DR2 Policy D3 (A) and part of (B)	<p>The LPA would support the position that locations with areas of high density buildings should be considered positively for expansion where appropriate. It is noted that the appeal scheme is would result in a more dense development than is characteristic of the area.</p> <p>The LPA also support the position that in other areas, incremental densification should be actively encouraged. Whereas the appeal scheme does not represent an incremental densification but a dynamic, abrupt and sharp</p>

DR2 Paragraph 3.3.1	The LPA agree that for London to accommodate the growth identified in the draft London Plan in an inclusive and responsible way, every new development needs to make the most efficient use of land. However, as set out, the optimum capacity for a site does not mean the maximum capacity. The LPA assert that the appeal scheme is skewed towards maximising capacity rather than optimising capacity.
DR3 Paragraph 4.2.12-13	No comment
DR4 Policy E4(C) including footnote 103	No comment
DR4 Paragraph 6.4.5 including footnote 108	No comment
DR4 Paragraphs 6.4.6 to 6.4.11 including footnote 110	No comment
DR4 Table 6.2	No comment
DR4 Figure 6.1	No comment
DR4 Policy E5(B)(4)	No comment
DR4 Policy E5(D) including renumbering of E5(E) as E5(D)	No comment
DR4 Policy E7(C)	No comment
DR4 Policy E7(D)	No comment
DR4 Paragraph 6.7.2	No comment
DR4 Paragraph 2.1.16	No comment
DR4 Paragraph 2.1.33	No comment
DR4 Paragraph 2.1.53	No comment
DR4 Paragraph 2.1.56	No comment

DR5 Policy G2	No comment
DR6 Policy G3(A)	No comment
DR6 Policy G3(C)	No comment
DR7 Policy H14 and supporting text	No comment
DR8 Paragraph 0.0.21	No comment
DR9 Table 10.3	The LPA notes that for Outer London locations with a PTAL of 2-3, 3+ bedroom units have a maximum parking provision of 1 space per unit, with 0.75 spaces per unit being the maximum for 1-2 bed units in this location. The current scheme provides family sized units and the updated changes indicate that a higher parking standard would better support additional family housing, reducing the risk of residents being forced to park on-street.
DR10 Policy T6.3(A) Retail Parking Standards	No comment
DR10 Policy T6.3(G) NEW	No comment
DR11 Paragraphs 4.1.11 to 4.1.13	No comment

1.7 Annex B Further Directions:
DR12 Tall Buildings

Direction Overview	Intention to Publish London Plan Policy	Modification to Remedy National Policy Inconsistency New text is shown as bold red and deleted text as red strikethrough	Statement of reasons	LPA's comments
DR12 Tall Buildings The draft London Plan includes a policy for tall buildings but this could allow isolated tall buildings outside designated areas for tall buildings and could enable boroughs to define tall	Policy D9 part B And supporting paragraph 3.9.3	Policy D9 Tall buildings Definition A Based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from	Tall buildings can have significant impacts on their local surroundings. However, the approach of gentle densification is encouraged and in line with national policy in NPPF 2012 for a presumption in favour of sustainable development and to promote the use of brownfield land and	The LPA welcomes the narrowing of the definition of Tall Buildings, indicating that buildings as low as 6 storeys could be considered as a tall building, depending on its context. The Shannon Corner Area is identified in

<p>buildings as lower than 7 storeys, thus thwarting proposals for gentle density. This Direction is designed to ensure that there is clear policy against tall buildings outside any areas that boroughs determine are appropriate for tall buildings, whilst ensuring that the concept of gentle density is embedded London wide. It retains the key role for boroughs to determine where may be appropriate for tall buildings and what the definition of tall buildings are, so that it is suitable for that Borough.</p>		<p>ground to the floor level of the uppermost storey.</p> <p>Locations B 1) Boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. This process should include engagement with neighbouring boroughs that may be affected by tall building developments in identified locations.</p> <p>2) Any such locations and appropriate tall building heights should be identified on maps in Development Plans.</p> <p>3) Tall buildings should only be developed in locations that are identified as suitable in Development Plans.</p> <p>3.9.3 Tall buildings are generally those that are substantially taller than their surroundings and cause a significant change to the skyline. Boroughs should define what is a ‘tall building’ for specific localities, however this definition should not be should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey. This does not mean that all buildings up to this height are automatically acceptable, such proposals will still need to be</p>	<p>focus development on existing settlements.</p> <p>So a balanced amendment is required to ensure that there is not an unintended policy against relatively modest height increases which could be caught by some definitions of tall buildings, for example the redevelopment of a 2 storey building to provide a 4-6 storey building.</p> <p>The 2012 NPPF Chapter 7 provides national policy on Good Design and para 58 refers to the importance of local character. The modification to policy D9 provides clear justification to avoid forms of development which are often considered to be out of character, whilst encouraging gentle density across London.</p>	<p>the Core Planning Strategy as an area that may be suitable for tall buildings, however, that does not mean that buildings of the height proposed are automatically acceptable.</p> <p>The change to this policy wording is supported by the LPA as it provides clear justification to avoid forms of development which would have be out of character, as the LPA assert this scheme is.</p>
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(No comment in relation to the second row of the above table: DR4 amended Policy E4 Land for industry).