

## LONDON PLANNING & DEVELOPMENT FORUM

Minutes of the meeting held on Monday 17th September in the Jevons Room at UCL - 2nd floor of Central House, 14 Upper Woburn Place, WC1H 0NN. Our host was Jessica Ferm.

Present: Brian Waters (Chairman)  
Claudio de Magalhaes: UCL  
Dongho Han: UCL  
Eric Sorensen: Trustee of the London Society  
Gualtiero Bonvino: UCL  
Jessica Ferm: UCL  
Jonathan Manns:  
Jonathan Bower: Womble Bond Dickinson  
Michael Bach: London Forum (for part of the afternoon)  
Michael Hebbert: UCL  
Nan Li: UCL  
Nicholas Falk: URBED  
Peter Eversden: London Forum  
Simon Ricketts: Town Legal  
Tim Wachter: RICS  
Tom Ball: London Forum  
Drummond Robson: Honorary Secretary

### **Introductions and Apologies.**

Brian Waters welcomed the group and noted apologies from David Bradley (abroad), Michael Chang (TCPA), Michael Edwards (UCL), Ron Heath, Riette Oosthuizen (HTA), Duncan Bowie. There was no attendance from GLA or TfL.

### **DISCUSSION TOPICS:**

1] Garden Towns: can they take pressure off London? Eric Sorensen trustee of the London Society and Nicholas Falk (Urbed);

The Chairman introduced the two speakers. The more general policy related theme from Eric Sorensen went first.

He began with a brief look at the policy context set by the Government's housing White Paper, February 2017, The Broken Housing Market. The core proposition there is to increase housing output from about 150K pa in England to about 250K. This would widen housing choice and contain house prices, both desired outcomes.

The White Paper offers a blizzard of initiatives and a reminder of programmes already in play :

- Up to date local plans and support for planning authorities to process applications;
- Standardised housing needs assessments;
- Action on delayed implementation of planning approvals;
- Efficient use of land and development at appropriate densities; -  
Simplifying the process for developer contributions;

- More straightforward and consistent viability tests;
- Greater transparency in land ownership;
  - Better procedures on utility connections;
- Encouraging greater number and diversity of housebuilders;
  - £1 bn Homebuilding Fund to facilitate this;
- £2bn Housing and Infrastructure Fund;
  - £2bn Accelerated Construction Programme, a combination to speed up housing use of public sector land and the use of modern construction methods;
- £7bn Affordable Housing Programme
- £45m public sector Land Release Fund;
- and much more.

There are important references to preparing land for development including use of CPOs and locally accountable Development Corporations.

There are also references to the importance of creating good new communities, good design, good placemaking, places which work well in all dimensions.

(ES contrasted this with the approach applied in Docklands in the 1980s to mid 90s – White land in the local plan and a million miles from being plan led, as the local authorities of Docklands wanted).

To all this is added Garden Towns and Garden Villages, seemingly as an afterthought, but obviously with more intent than just that. The February 2017 White Paper doesn't have much to say about these but there is a map included which shows their putative distribution. 10 Garden Towns are mainly shown around London and the South East, with 14 Garden Villages more widely distributed across England. They may be extensions to existing places or freestanding settlements. If the proposed settlement is greater than 10K homes it moves from being a Village to a Town. *[Editorial Note: MHCLG produced a new Garden Communities Prospectus in August 2018 inviting proposals by 9 November 2018]*

## WHERE ARE THE NEW GARDEN TOWNS AND VILLAGES GOING TO BE?



<https://www.thesun.co.uk/news/2517967/garden-villages-towns-what-where-why/>

5 Mar 2018 - What you need to know about **garden villages** and **towns** after the government approved plans to build 14 **new** communities in England.

The total estimated housing output of these towns and villages over up to 30 years could be 200,000 homes, or of the order of 4% of hoped for future housing output in England. Or putting it another way, this housing output is only twice that of one London Borough, Tower Hamlets, admittedly only comparing Tower Hamlets' prospective 5 years of development output. So the Garden Movement needs to be assessed with a certain sense of perspective. Meanwhile, however, things are moving on Garden Towns. They get a specific brief reference in the latest draft of the NPPF. And last month the MHCLG launched a competition inviting local authorities, master developers and others to bring forward outline proposals on garden settlements. These have to be with MHCLG by November and those getting through to the next stage will be offered some support to develop the proposals.

It is early days so anything said now about Garden Towns and Villages will need to be constantly reviewed. But some preliminary thoughts are :

- the projected scale of Garden related development will be overwhelmed by projected housing development in general;
- the principles of the Garden settlement design concept overlap with the Sustainable Development concept and with the Good Design principles summarised in the NPPF. Indeed it is difficult to sort out the difference between the objectives and desired outcomes of housing related development in general and those underpinning Garden Towns and Villages;
- that said, two points are worth noting. The Garden prospectus does literally

emphasise greening as a key outcome but without referencing specifics, eg tree lined boulevards, allotments, lakes, every home to have a garden, lots of public transport, no cars. Also, no reference as to how all this might relate to density objectives.

Second, there is a specific reference to stewardship of public assets. That is, there needs to be summary proposals as to how the settlements' public assets, so important in determining the character of the investment, are to be managed and maintained.

–if the MHCLG programme gets underway quickly and gets a good level of support from all concerned then we could see the Garden Towns and Villages programme providing exemplar developments. These would influence housing development in general, and for the better.

–Ecotowns are no longer mentioned.

On the other hand the Garden brand could be tarnished if it turns out to be a marketing initiative to help promote development, and where the housing outcome turns out to be no better than anything else being offered. This risk is real given the present decline in activity by housebuilders.

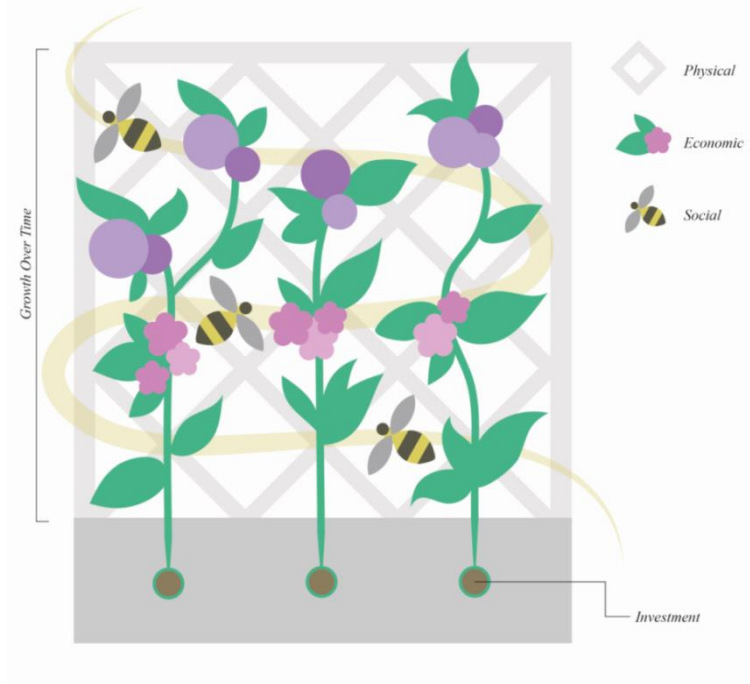
ES had three concerns

1. To Avoid confusing the market with too many choices
2. Need for associated infrastructure plans
3. Need for government to be more courageous

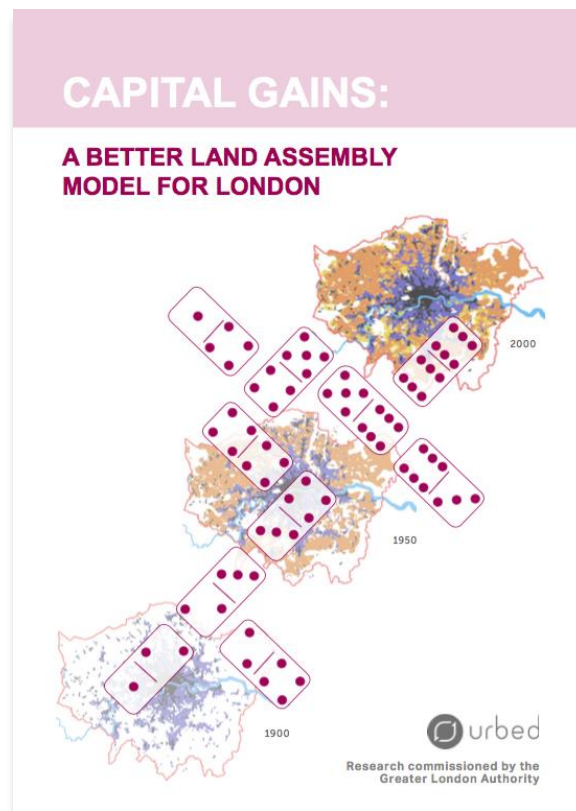
In amplification ES said that the building process too now lacks courage with too many alterations being made to encourage the confidence to carry schemes out. He contrasted this attitude of pervasive uncertainty with the enormous effort of new town creation in the 1980s which now seems to have died - although it could still be revived with the proper will and drive.

Nicholas Falk's presentation Garden Towns and the Future of London followed before any discussion. His was an economist's view of the issues, derived from the February 2018 Capital Gains Research Report with others commissioned by GLA.

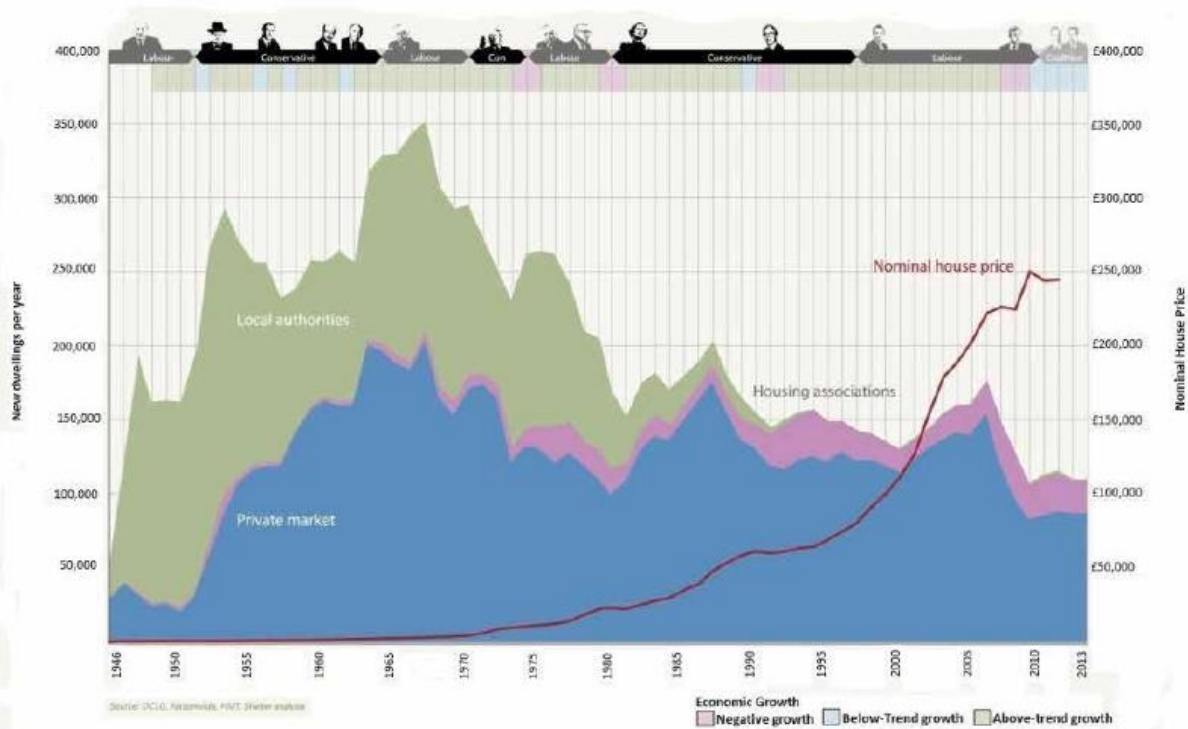
[https://www.london.gov.uk/sites/default/files/gla\\_capital\\_gains\\_report.pdf](https://www.london.gov.uk/sites/default/files/gla_capital_gains_report.pdf)



NF offered the perception that Cities grow like dominoes not jigsaw puzzles and this model would be more conducive to land assembly in the case of London.



He said that housebuilding has plateaued while prices have escalated and offered the following graph



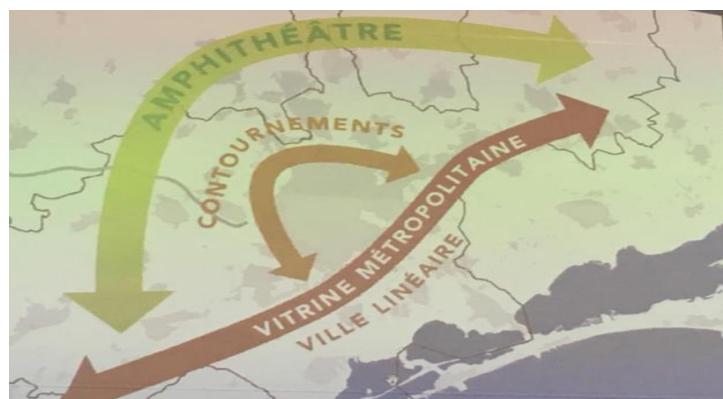
NF criticized new settlement design as often being weak and that we should benefit from more study of European examples. He put forward Rieselfeld a sustainable district of the German city of Freiburg. It uses building groups on underused land to create diversity. Dutch towns have built sustainable urban extensions with local authorities having 'First Choice', and use social housing to rebalance urban areas such as in the urban extension of Vathorst Amersfoort.



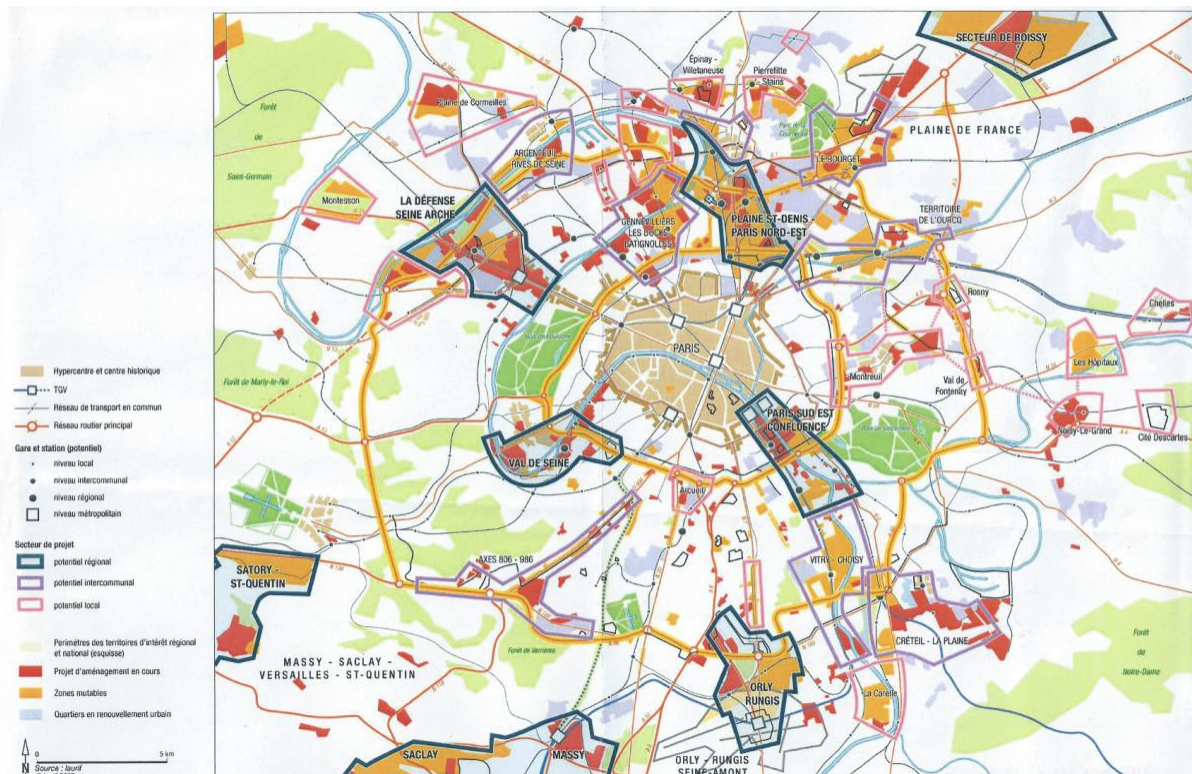


French cities use ZACs (zones d'aménagement concerté) or to join up development and infrastructure – forms of urban regeneration.

They are to be found for example in Montpellier and



## Paris



Danish cities support cooperatives through Public Asset Corporations that pool public land Aarhus and Ørestad on Amager Island in Copenhagen.

Vienna leads the way in keeping housing costs down through mixed rental housing. New rental apartments in Nordbahnhof is shown below:



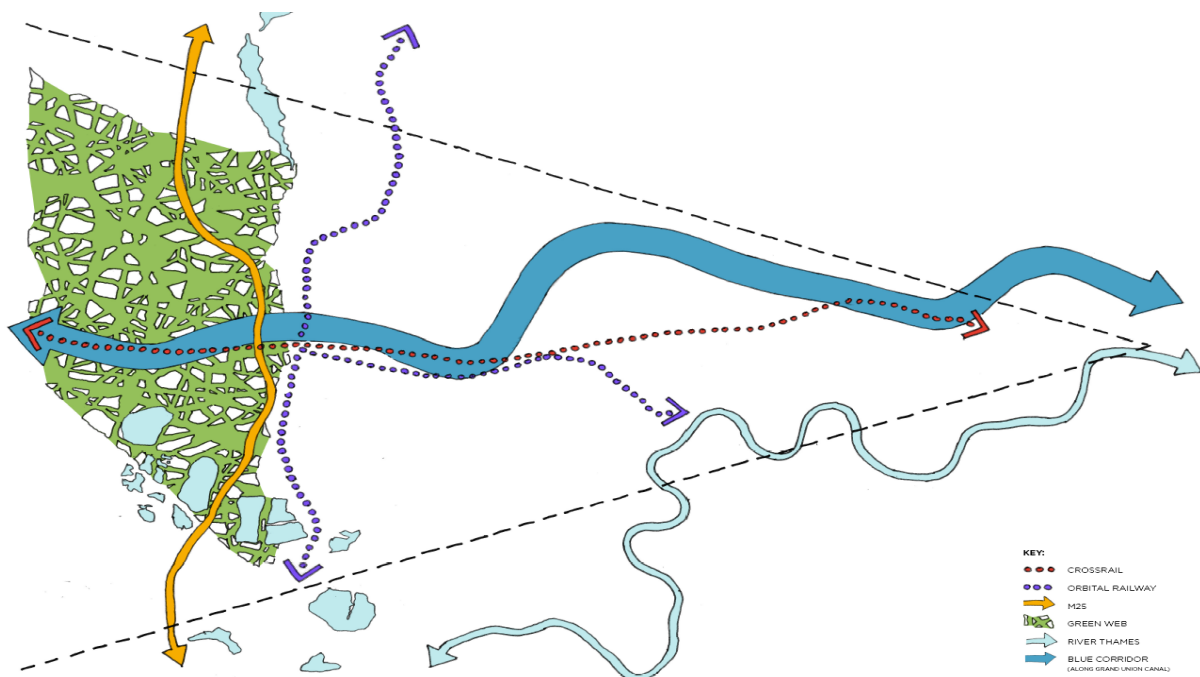


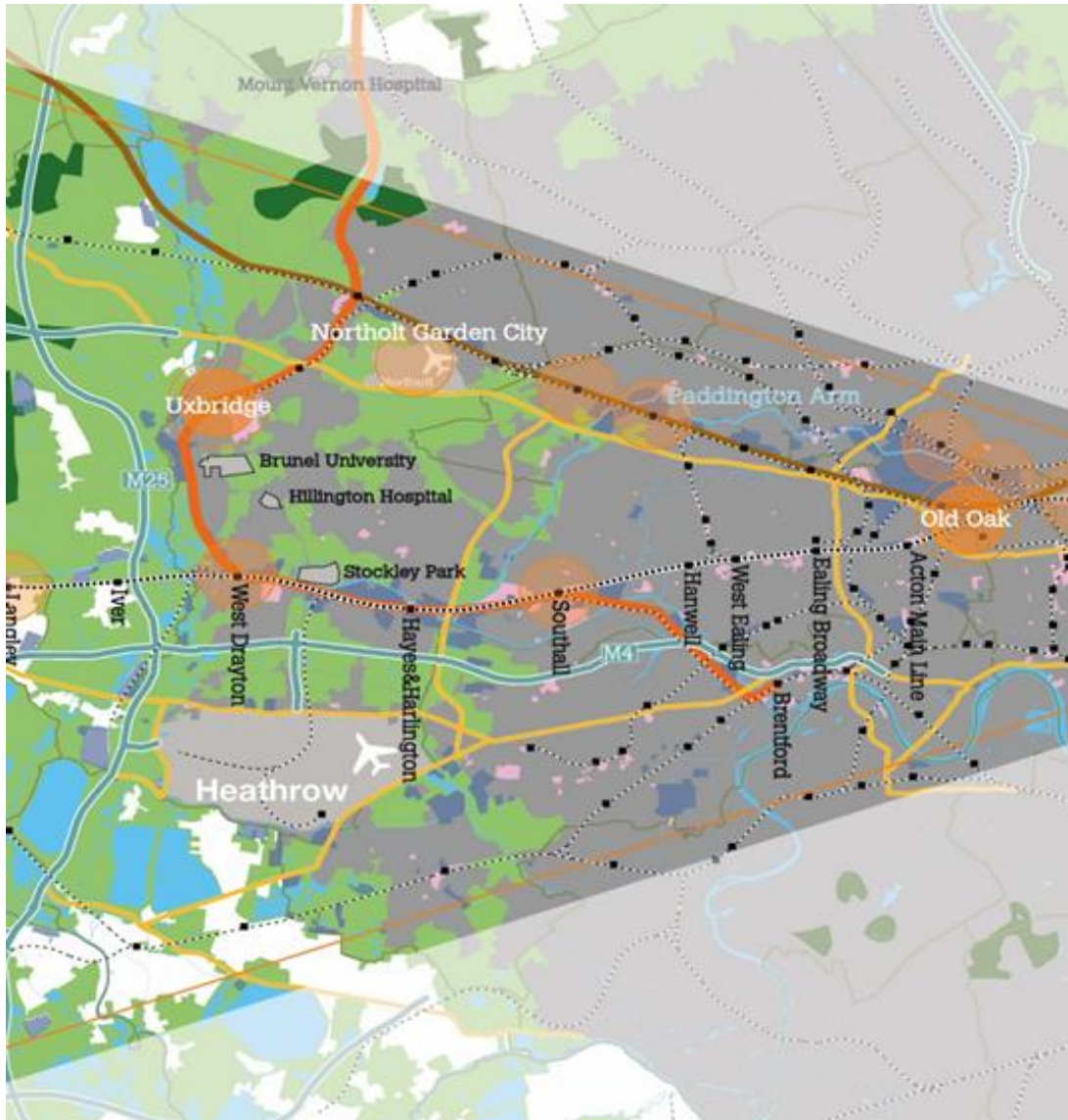
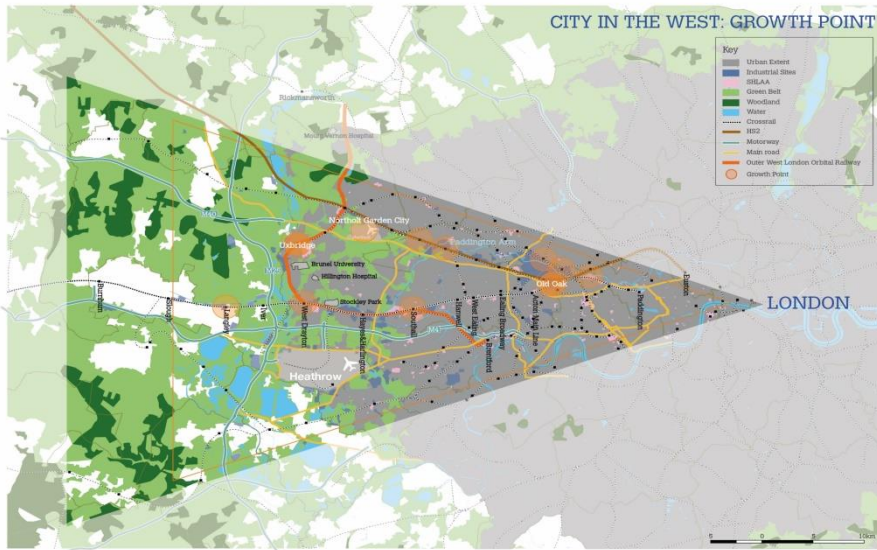
NF put forward In Leipzig an example of a scheme successfully integrated with political will (The Leipzig model of civic Governance). [https://www.jrf.org.uk/sites/default/files/jrf/files-research/international\\_cities\\_leipzig.pdf](https://www.jrf.org.uk/sites/default/files/jrf/files-research/international_cities_leipzig.pdf)

NF maintained that Good housing delivery needs a strong framework with a clear interplay of economic success, quality of life and urban management:



NF considered that the term Green Web was more helpful than Green Belt. Urbed has been promoting an example of this in West London (City of the West for 200,000 new homes and 200,000 new jobs) with opposition from Hillingdon in particular because of the Heathrow factor and a wish to protect Northolt Airport for its strategic significance, about which NF was very sceptical.





Extract from "City in the West Growth Point" [?Western Wedge]

NF voiced his opinion that Keys to good delivery include:

1. **Spatial growth plans that**
  - a. **Map infrastructure capacity**
  - b. **Anticipate demands**
2. **Land assembly powers to**
  1. **Pool public land**
  2. **Mobilise under-used private land eg tax reform**
3. **Cheap finance for infrastructure**
  1. **Borrowing against land value uplift eg bonds**
  2. **Repaid by selling off serviced plots**
4. **Frameworks for balanced incremental development**
  1. **Define affordable/social housing ratios**
  2. **Endow trusts to maintain public space**

Brian Waters introduced the discussion voicing the opinion that the current pattern of bringing in a developer but providing the infrastructure later was unwise or unworkable. He also said that there was no visionary planning but all reacting rather than acting positively and implementing. NF supported this adding that it was first important to identify the area to focus on [*based on experience not political aspiration*]. London's Opportunity Areas by contrast were largely unsuccessful, perhaps with the exception of "The City in the East".

It was observed that there was too much protection of the status quo with often little understanding of how to create or effect change. Drummond Robson added the illustration that even though cpo was being made more widely available to local authorities very few had experience of making or confirming cpos or the genuine seriousness of the undertaking. This has to start with telling someone that they would have to move from where they live. His own experience included doing this for the regional town and shopping centre of Wood Green (identified by GLC with advice from URBED). It involved a major cpo and inquiry with over 200 landed interests to be acquired and assembled with multiple institutional funding to bring land into profitable public ownership.

ES added that more intervention was needed by people who are both competent *and* well intentioned. Furthermore he reminded us that at least 15 years should be allowed for housing to actually be built if it was worth achieving at all. He also said that insufficient thought is given to encouraging incentive. The Revenue Support system is well thought out and further encouragement could be given to infrastructure financing from a Business Bank.

Jess Ferm queried what sites should be looked at , emphasising that less intensive land uses such as distribution centres were often crucial. Jonathan Manns cited outer London such as Enfield Urban Extensions of 16-20 dwellings/acre.

There was also criticism that there was widespread lack of understanding of the way these places work. (Emeritus Prof Mike Batty's work - now continued by others - was proffered as a source of investigation. E.g. CASA (Centre for Advanced Spatial Analysis). [*Editorial note: This is work in the sense of economic modelling, not spatial, design or social creativity*]

Tom Ball considered that much of the discussion was "nit picking" and what was needed was a statement by government for a National Building Agency.

The Chairman brought the discussion to a close at this point saying that London could afford its own garden towns without further funding by making the most of underused assets to create new land values. This also neatly offered the opportunity for a discussion of

Item 2 Land Value Capture to be introduced by Jonathan Bower of Womble Bond Dickinson. See PiL issue 106 July-Sep 2018 page 63-4 LAND VALUE CAPTURE AND WHY IT MATTERS Final report February 2017: Jonathan Bower and Sara Wex [https://www.london.gov.uk/sites/default/files/land\\_value\\_capture\\_report\\_transport\\_for\\_london.pdf](https://www.london.gov.uk/sites/default/files/land_value_capture_report_transport_for_london.pdf)

JB explained that

‘Land value capture’ means a set of mechanisms used to monetise increases in land values that arise in the catchment areas of transport projects. We refer to the area over which such land value effects occur as the ‘zone of influence. Bower and Wex.

This is further amplified in the paper by Bower and Wex below:

“This study suggests the key principles of such a charge should be that it:

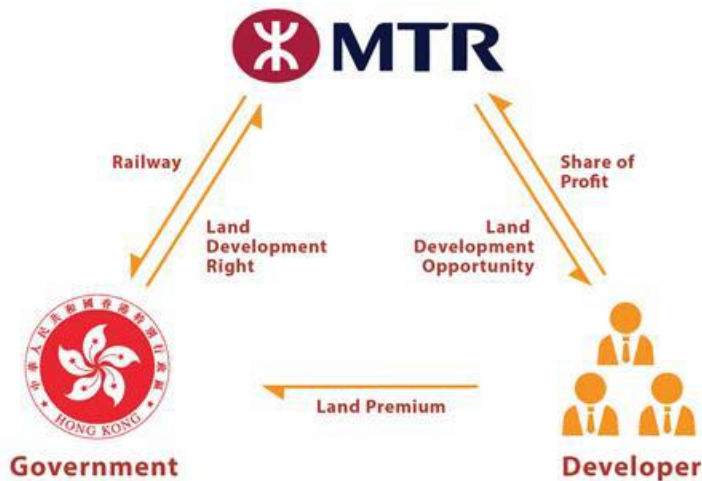
- Applies in defined zones of influence around new or significantly upgraded transport facilities (such as Tube stations)
- Be based on regular transparent market-based measurement of the premium freely and willingly paid to landowners by new purchasers or renters of residential property for access to transport within such zones of influence
- Be proportionate to the measured premium paid for access to transport in each location
- Be designed so that

New purchasers and tenants can be given a free choice to opt in to paying the charge through their decision to locate within the zones of influence, and are given the opportunity to pay the same overall premium for access to transport with the charge that they would have been freely willing to pay without it

Existing residents can be entirely exempted from paying the charge

The consultation paper should set out the overall objective of land value capture, describe the need for and the basic principles of the new charge and set out the advantages and disadvantages of various design options, as discussed in the main report.”





Hong Kong MTR (Mass Transit Railway) rail plus property model Source: MTR website

JB said that CIL and s106 payments are made when the development takes place. He explained that Liz Peace proposed a replacement of CIL with a low level rate and mayoral CIL by groups of authorities. However the Brexit proposals mean there is no time in the present Parliamentary timetable for the necessary legislation for at least 2 years. Also CIL is not mandated across the country and the interplay with affordable housing obligations is inconclusive.

There is only one Land Assembly Zone. Kit Malthouse's view of this is "Spot Nationalisation of Land" with the state being merely facilitator. There is a recommendation from an inquiry to speed up the cpo process.

Homes England has a report recommending the speeding up of cpo to a period of 1 year from making to getting the powers and 3 years to realise – the focus being on transport nodes. The land owners should be entitled to full redevelopment value. JB suggested that the threat of cpo may encourage negotiation by agreement.

ES said that he thought this would benefit from collective expertise in a complex area.

Michael Hebbert suggested that this was an area for nationalising the planning framework. The BPF by contrast suggests that the freeholder retains ownership.

JB cited examples in Dartford, South Wales and Melton Mowbray where income is a later issue.

ES stressed the importance of designation for land pooling or for cpo for infrastructure associated projects.

Tim Wachter said that the market takes no account of planning decisions in assessing value (the so called "no scheme world").

Brian Waters introduced Simon Ricketts – recently arrived from Town Legal for the third topic to update on the London Plan.

3] Implications for London and the next London Plan of the new NPPF – see: GLA papers on the Economy and Spatial Development Patterns and a report on London's Economic Outlook.

Note: NPPF has been updated but it will not apply in London who will rely on the previous version. (The original 2012 NPPF remains in effect for planning

applications submitted on or before 24 January 2019 and the draft London Plan will be examined against the 2012 NPPF). *How this applies in duty to co-operate with neighbouring authorities who are better advanced we can only guess.*

GLA has been generating a large number of reports for the New London Plan.

Reports for the evidence base are on

Core Documents, Examination Documents - Submitted by the Panel, Topic Papers, Background Documents, Spatial Development Patterns & Population Projections, Design, Housing, Social Infrastructure, Economy, Heritage and Culture, Green Infrastructure, Sustainable Infrastructure, Transport, Viability, Government Documents & Legislation

Any of these could be the basis for a discussion, but the best covered seem to be Economy and Spatial Development Patterns.

Simon Ricketts referred to the url reference “Simonicity or Let a Million Homes Bloom” <https://simonicity.com/2018/08/24/let-a-million-new-homes-bloom/> and the linked reference to the Oxford Cambridge development corridor - the Cambridge-Milton Keynes-Oxford arc.



SR referred to the work of Jennifer Peters of the GLA team and her colleagues who were not present. He commented that any seasonal reference to planning is dubious since there is to be a general election in or by May 2020. So far the draft plan has led to 20,000 responses. As of last Friday (14.9.18) a Draft List of Matters has been prepared by the appointed Inspector Panel (Roisin Barrett, William Fieldhouse and David Smith).

Planning Exchange has prepared a detailed response. It is far from clear whether the duty to co-operate problem is applicable or has been considered. The draft plan has deviations/derogations on affordable housing on small sites and vacant buildings. The stresses and strains of Heathrow are causing concerns. Brokenshire has said that he remains unconvinced that the housing need is ambitious enough and is particularly interested in residential gardens. There is doubt that parking standards policies are proven. Complexities of the plan, collaboration with Boroughs are further concerns.

On 13<sup>th</sup> August 600 pages of plan changes were put forward. Additional delivery tests for Boroughs are still open from the new NPPF.

Peter Eversden commented that some of the recent changes had significant ramifications, and some clarifications may assist the EIP.

There was some discussion about objectively assessed need for new dwellings. Brokenshire is asking for 72,000, the Mayor is proposing 65,000. ES said that only 25,000 are actually being done and queried whether the higher numbers were even achievable. Also the GLA is asking for 65% to be affordable. All of this suggests an early review of the plan before it is even agreed and adopted.

It was suggested that floorspace standards rather than room sizes would be a more realistic measure for the new units.

Jonathan Manns commented on the tenure targets and density gap between recognizing and supporting them.

NF added that planning should be energizing to encourage creative responses but in fact it has got worse. It is important to make strategic choices which are realistic.

2. Minutes of the meeting on Monday 4th June at London Councils 2.30pm 59½ Southwark Street London SE1 OAL Our host was Serena Perry.

Confirmed

3. Next Meeting. 11<sup>th</sup> December 2018 at Rockwell Property, 23 King Street Saint James SW1 with Jonathan Manns as host.

possible themes for discussion in December and at Dentons in February or March:

Suggestions for speakers on social housing and council development and on the experience of social house development abroad from Nick Falk.

A centerpiece on camkox arc might be the focus of the Dentons event.

4. AOB

None

DR/dbm 30.9.18