

# Boris on Planning – what can we expect?

Contrary to popular opinion Boris seems to be looking beyond the next General Election, says Michael Bach of the London Forum of Amenity and Civic Societies.



Before the first of May, but even more since, developers, planners and local communities

have been trying to find out where Boris stands on planning. There were a few headlines before the election indicating his views on tall buildings and affordable housing, but since the Mayoral election the property rumour mill has been working overtime.

## Tall Buildings

The Evening Standard, having backed Boris from a long way out, promised to scrutinise Boris in the same way as it had Ken. The first tar-

get was tall buildings – they listed 21 buildings which they thought may be at risk from the new regime. Since then Boris has gradually refined his target to widening the “view corridors” where tall buildings would impinge on famous, longer-distance views and, perhaps, to add some new views. This may be more cumbersome than he thinks, because the recent changes, which narrowed the view corridors, are embedded in a Statutory Instrument.

Boris has made clear that he is not against all tall buildings, but “I am not viscerally hostile to beautiful tall buildings in the right place,” he said. “In my view the Gherkin is a triumph”. But unlike Ken he will not be an advocate. He will leave decisions

to the Boroughs, and there may even be exceptional cases in which he would intervene. As he said to the Festival of Architecture, “if I think a tall building is simply out of keeping with the area - if the proposal is just gigantism for the sake of gigantism - then I will not hesitate to direct refusal”

## Using his new planning powers

No sooner than Ken got his enhanced planning powers, they have been passed to a very different Mayor. Whereas Ken was eager to extend the number of cases – especially housing cases – referred to him, though at the price of loosening control and foregoing financial contributions for transport and affordable

housing for the City, Boris has indicated that he will intervene less, leaving more decisions to the Boroughs. This suggests that he will direct fewer refusals and not take over many cases using his new powers. But neither did Ken – the key issue is the extent to which the Mayor seeks to re-engineer applications, especially with regard to affordable housing. Ken did a lot of this. The signs are that Boris will limit intervention to truly strategic issues – which affect the implementation of the London Plan – for which the powers were intended!

## Affordable Housing

Affordable housing is a major

## In his own words...



Mayor Boris Johnson launched this year's Festival of Architecture with this speech.

It is with some nervousness that I address this stellar gathering

It is true that I did once take a paper in architecture at university, but the syllabus ended after the invention of the Corinthian column and before the Romans introduced the arch and though I look up with a delighted eye at many of the revolutionary buildings going up in London my profoundest thought is that I like the crashed mothership by Daniel Libeskind on Holloway Road, and I like the cornices and the triglyphs and the metopes and the caryatids of the more traditional buildings.

But I have come to the conclusion that I like each more for its proximity to the other and the truth is that the crashed mothership would be less interesting without the traditional build-

ings and the traditional buildings would be less interesting without the crashed mothership and the genius of London architecture lies in this juxtaposition.

This ability to reinvent old genres and the

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achievement of British architects is so often to innovate sensitively in the context of an ancient city so that we bring new solutions to old problems because we need this ingenuity. We need your ingenuity if houses and streets and neighbourhoods are better designed than they are likely to be safer and there will be less inequality and the middle classes will send their kids to the local school and if the neighbour-

hood is pleasing to look at it is more likely to be protected from vandalism and the environment will be improved.. That is why I am sure you are all agog to know what is going to be in the London Plan and I cannot tell you tonight. We will be shortly setting out a route map - a blueprint for a blueprint - but I can give a few clues.

I am not opposed to all tall buildings and when Barry and Pugin proposed Big Ben I bet there were all sorts of people who howled about monstrous carbuncles and I am sure that there is no one who would want to blow up the House of Commons now, at least not on architectural grounds.

But if I think a tall building is simply out of keeping with the area - if the proposal is just gigantism for the sake of gigantism, then I will not hesitate to direct refusal. We will be in favour of creating high density without necessarily creating high rises.

I think it shameful that new buildings in London now have among the smallest rooms in Europe and we will be re-establishing the space

point of difference between Boris and Ken. Rather than insisting on achieving an average of 50% affordable housing from housing schemes of 10 units or more, Boris has indicated that he will drop the 50% target and focus on the numbers. He hopes that by reducing the demands for affordable housing more housing will be built, which in turn will deliver 50,000 affordable units in the next 3 years. Ken, even with strong pressure on developers and the Boroughs, only managed 34% or some 10,000 units a year. It is hard to imagine, in the current economic climate, that either approach would achieve its targets.

**Changing the London Plan**

The key question is how can Boris start making a difference over the next two years. Clearly how he uses his powers and how he implements the London Plan is key. There is no need to press for tall buildings – higher densities can be achieved without high rise. Without the Mayor’s active support the number would decline, even without the credit crunch. With a less interventionist approach, and less pressure on “maximising” the

amount of development on a site, Boris can produce a different set of outcomes without changing the Plan. But Boris wants to leave his mark – he wants to put his imprint on the London Plan. This will, however, take time because the next “review” will need to be more comprehensive. It could take at least two years just to change the policies.

**Delegation**

But the real difference between Ken and Boris is that Boris has chosen to delegate, choosing Sir Simon Milton, until May the leader of the City of Westminster and leader of the Local Government Association, to be his planning advisor. He favours fewer tall buildings, a less rigid approach to affordable housing and, above all, a much more conciliatory approach to the Boroughs.

Boris has even delegated the planning decision making to another advisor and former leader of Bexley, Ian Clement. Does the fact that the Mayor has delegated his planning portfolio mean that planning has dropped off the radar? It is ironic that planning has had a key role in the

Mayor’s portfolio over the first two Mayoral terms, but, with widening powers and a new Mayor, it appears to have different role.

**So what is the vision?**

What will distinguish Boris’ vision? He wants to make London a more liveable city. Sir Simon Milton said: “Boris’ big theme is quality of life, because if London is to compete with the emerging cities of Shanghai and Mumbai, this is what is going to differentiate us. This theme of livability is going to resonate through a lot of the changes in planning and development policy.” Or in Boris’ own words, “I hope you will join me in this next stage in our city’s journey so that we lengthen the lead of this city not just as the best place in the world to visit, the best place in the world to make money, but the best place in the world to live.”

To advise Boris with his vision he has decided to retain Richard Rogers, but he also hopes “to recruit a small additional panel of advisers drawn not just from the established names, but also from some of the up and coming talent to work with me and

Design for London.” He sees their task as “to protect London’s unique urban villages; encourage new architecture that will excite and delight visitors and Londoners alike; help a new Mayor in realising his ambition to beautify public spaces; and not only to have more public conveniences, but to have a new crop of drinking fountains across the city.”

The ideas are already coming forward as part of a competition by Design for London, including: more water features and open spaces, opening up lost rivers and creating new green spaces to help cool the city, closing streets to traffic to create cycle superhighways, tree-lined pedestrian promenades to rival Barcelona’s Las Ramblas, a new riverside promenade on the north side of the Thames through the City and exploring the feasibility of a new airport in the Thames Estuary.

*A schedule of the published planning policies of the new Mayor will be found in Briefing*

standards first promoted by the visionary planner Sir Parker Morris in 1961.

We need to build for the long term buildings that people will want to keep for 100 years and not tear down in 30. Look at some of the housing we are building and ask yourself what are the traditional features of this decade – the noughties, the zeroes – that yuppies will be rescuing from skips in a century hence.

I do not say that there is no answer. It is just that I haven’t the faintest what those things are, but I know that there are people in this room who not only know the answer but who are creating them.

And we not only need designers and architects – we need people with the planning vision to make sense of the Thames Gateway. We can’t just build a dormitory settlement with lots of new roads to get into Central London.

Where is the employment, the community infrastructure? Why not make it a centre for environmental industries, an exciting base for companies and a way of bringing skilled jobs to a deprived part of the city. What about the Ramblas – the beaches along the Thames – the use of river transport – the bicycle superhigh-

ways – the joining up of the parks to make a walk – the hanging gardens of the South Bank. And what about making use of the 24 million cubic meters of soil that we’ll be digging up

**“When Augustus had a problem of urban planning he had Agrippa to sort it out. ‘Get Agrippa’, as he doubtless shouted to his henchmen!”**

from Crossrail to make new urban hills and if that isn’t visionary I don’t know what is.

And all the other dreams of ambitious mayors. Augustus may have found Rome of brick and left it of marble – but when he had a problem of urban planning he had Agrippa to sort it out. Get Agrippa, as he doubtless shouted to his henchmen!

Well, I am delighted to have inherited not just one Agrippa in the form of Richard Rogers, but I hope also to recruit a small additional panel of advisers drawn not just from the established names but also from some of the up and coming talent to work with me and

Design for London:

- to protect London’s unique urban village
- to encourage new architecture that will excite and delight visitors and Londoners alike
- to help a new Mayor in realising his ambition to beautify public spaces
- and not only to have more public conveniences, but in an age when bottled water has become taboo and when alcohol has been banned on public transport to have a new crop of drinking fountains across the city

I don’t think I am betraying confidences if I say that if we can make sure there isn’t too much fluoride in the water, we can have the support of that vital architecture critic the Prince of Wales.

So I hope you will join me in this next stage in our city’s journey so that we lengthen the lead of this city not just as the best place in the world to visit, the best place in the world to make money, but the best place in the world to live.

# What are the prospects for meeting housing needs in London?



The Rt Hon Nick Raynsford is MP for Greenwich & Woolwich

**There are many good examples of sustainable new housing schemes in London. If public opinion is to be swung round in their favour, then these need to become the norm rather than the exception, says Nick Raynsford.**

**Let me start** with a true story. In the early months of 2003 I was very aware of two planning applications being considered by Greenwich Council for housing developments in my constituency. One involved 10,000 new homes plus substantial commercial and leisure uses on the Greenwich Peninsula. The other was for an infill development of a little over 100 dwellings on a brownfield site. Despite the very different scale of the two developments, the latter attracted far more opposition from local residents than the former.

What was clear to me at the time was the very different approach adopted by the respective developers. The Greenwich Peninsula proposals had been the subject of extensive prior consultation before the application was submitted. In the case of the infill development, the house builders took the view that their scheme was in conformity with the London Plan and would be approved, on appeal if necessary. That is exactly what happened. Despite an officer recommendation in favour of granting planning permission the local councillors, under considerable pressure from hostile local residents, refused planning permission but their decision was overturned on appeal.

Now the twist at the end of the story. Five years on the infill development has been completed and occupied, and generates no complaints. By contrast, not a single home has been completed on the much larger site, although outline planning consent was granted almost 5 years ago

without any public opposition. Good progress has been made with the commercial and leisure developments on the Peninsula – the dome reopened in May 2007 as the O2 and has already become the world's top music venue. By contrast, the only construction activity on the housing element in the scheme has been ground works affecting only 2.5 per cent of the site. What conclusions should be drawn from this story?

First, the public can, in certain circumstances, become very hostile to new housing developments. Secondly, the hostility, even if very powerfully expressed at the time, may prove only transitory. Third, local councils, as democratic bodies, do respond to public opinion, and this does inevitably influence decisions on planning applications. Fourth, this can lead to significant delays in securing planning consent for some housing developments, particularly where there is local public opposition. But fifth, it is not only the planning process that causes delay. Other influences, including the state of the market and the interests of the developers can, as we are currently seeing equally lead to delays.

Turning now from one particular story to the general context there are several other important issues to highlight:

- We know that housing supply has not kept pace with demand for many years, particularly in London and the South East of England, and this has led to acute shortages of housing, upward pressure on house prices and affordability problems.

- The Government has committed itself to a substantial increase in housing output over the coming decade to address this problem. This commitment was set out in the Green Paper launched in July 2007. This unfortunately came out at the very point in time when the American sub-prime crisis was about to trigger its devastating impact on the UK housing market. This in turn has made delivery of the Government's housing targets almost impossible to achieve.

- Having said that, the current market crisis is very much the product of tighter lending policies and a collapse in confidence. It does not reflect an absence of underlying demand, so an upturn in housing output can be anticipated when confidence returns.
- In addition to numerical targets, the Government has also indicated its commitment to higher quality design and sustainability objectives including improved energy efficiency (zero carbon by 2016) and the ability of housing to accommodate changing consumer requirements (lifetime homes).

- The Government is also strongly committed to mixed-tenure developments instead of the separate provision of owner occupied and social housing estates which characterized much 20th Century housing and which contributed significantly to social exclusion.

While these are all desirable objectives, it is not clear how all these demands can be accommodated without imposing impossible cost pressures, particularly in adverse

*This article is based on a speech delivered at the 'Planning to Deliver' conference held in conjunction with the NLA Des Res Exhibition at the Building Centre in May.*

market conditions which are limiting the scope for capturing development gain.

This leads on to the legislative context. Two important new Bills are progressing through Parliament that will impact on the housing landscape. The Housing and Regeneration Bill creates two bodies.

The Homes and Communities Agency combines the funding role of the Housing Corporation, the land assembly and regeneration roles of English Partnerships, several functions, such as oversight of the Decent Homes Programme, currently discharged by the Communities and Local Government Department, and the Academy for Sustainable Communities.

Under the energetic leadership of Sir Bob Kerslake, the Agency has already made a strong start and will play an increasingly important role in facilitating new housing development. The danger is that it is being loaded with very high expectations, and is coming into existence in particularly difficult market conditions which will challenge its delivery capacity.

The second new institution is the Social Housing Regulator 'OFTENANT', which is taking over the Housing Corporation's role as regulator of housing associations, but will in due course also cover other providers of social housing including local authorities and ALMO's as well as social and affordable housing products from private providers.

The other new legislation is the Planning Bill, which has had a difficult and controversial passage to date, primarily because of the changes it makes to the way in which major infrastructure schemes, will be handled. But from the housing and regeneration perspective its real significance is the introduction of the Community Infrastructure Levy, modeled on the tariff scheme piloted in Milton Keynes. Because the tariff scheme offered a "win win" scenario, it attracted support from developers as well as public authorities.

In principle the Levy is a welcome



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improvement on the previous proposal for a Planning Gain Supplement or development tax. Unlike PGS the CIL will be set locally and the use of proceeds should be defined in the local development framework. Whether it will overcome some of the problems associated with the current Section 106 regime, and help facilitate infrastructure investment without deterring appropriate development remains to be seen.

Finally we need to consider the changing political climate, symbolised by Boris Johnson's election as Mayor of London. As yet it is too soon to make a definitive judgement on the impact of the change of Mayor. However early straws in the wind suggest the following changes.

The new Mayor is likely to be less interventionist than his predecessor. The new powers for which Ken Livingstone campaigned to allow the Mayor to overrule local councils and approve specific housing schemes which conform to the London Plan are only just coming into force and are less likely to be employed than had Ken Livingstone remained Mayor.

This in turn may well prompt some boroughs to require less affordable or social housing as part of new developments than might be expected under the London Plan criteria. We

can therefore expect wider discrepancies between what is required by individual London boroughs as part of their negotiations with developers. The trend of recent years in which the strategic London-wide perspective on housing has become increasingly important is accordingly likely to reverse in favour of more local discretion.

Against this background, it would be rash to assume that London will see further expansion in housing output in the immediate future. After several years of growth, the number of new starts will inevitably fall because of market conditions. What happens in the medium to long term then depends on a number of factors, including the extent to which the wider economy is adversely affected by the downturn in the housing market.

The advent of the Homes and Communities Agency with a large budget (over £8 million over the next three years) and the ability to influence directly the quantity and quality of social and affordable housing, and indirectly the wider housing market will be crucial, as will its relationship with the new Mayor, the London boroughs and the Thames Gateway delivery vehicles.

Returning to the point on which I started, we should not overlook the influence of public opinion. Knee-jerk

opposition to new housing development – the NIMBY instinct – remains strong and may be encouraged by the swing of the political pendulum in favour of the Conservatives who have traditionally been less sympathetic to housing provision.

But public attitudes are not immutable. Where it is demonstrated that new housing schemes can enhance the local environment, opposition is not inevitable. On the contrary, the ease with which the planning consent for the Greenwich Peninsula (to which I referred at the outset) went through reflected the success of the pioneering Greenwich Millennium Village on the adjoining site on a previously foully-polluted gasworks site. With its striking design, high energy efficiency standards, impressive landscaping and exceptional public transport links, it is an exemplar of high quality housing development. Contrary to the pessimistic voices of some commentators there are many other good examples of sustainable new housing schemes in London. If public opinion is to be swung round in favour of more and better housing provision, then these need to become the norm rather than the exception.

# Planning application to alter wall

An email has been doing the rounds with a spoof Design & Access Statement for an agricultural shed. *Planning in London* readers, being urban sophisticates, were able to enjoy a superior laugh. However, the editors have been sent this example from a London suburban authority which prefers to remain unidentified Drummond Robson in consultation with Andy Rogers validated.

## Design and Access Statement

### 1.0 Context Analysis

The present wall adjoins a suburban house and is surrounded by other houses, many also with walls of similar age, style, height and length. It is straight and has grass growing on one side and a path on the other, with more grass beyond that. It is believed that the wall was built before 1947. The wall is compatible with the house because it is a garden wall. It is the height, size and shape it is because that ensures it provides a means of enclosure. The topography is flat on both sides of the wall and at the ends. The density of the area is suburban because that is where the wall is. The social context is a suburban area with various inhabitants, some who keep themselves to themselves, some who are more sociable. The character of the area is suburban.

### 2.0 The Proposed Amount of Development

The proposal is to put a new course of bricks on top of the wall, thereby exceeding its former height by the height of one course of bricks (with mortar).

### 3.0 Layout

The proposed addition to the wall follows the line of the courses underneath it and does not deviate from this line, which is, like the rest of the wall, straight.

### 4.0 Scale

The scale of the addition to the existing wall is quite low, being one course high. The scale of the whole wall, which has been there since before 1947, is also quite low which has enabled neighbours to talk to one another over it. The alteration may still allow people to talk over the wall depending how tall they are.

### 5.0 Appearance

The wall looks like a typical suburban wall because that is what it is, and a great architect (or engineer) once said that "structures should look like what they are" so that is what it looks like.

### 6.0 Landscaping

The applicant and his predecessors have spent many years making the land around the house to look like a suburban area and so the decision has been taken not to alter it as the result of the increased height (by one course) of the wall.

### 7.0 Access

The access is by a road, leading to a path, which



runs on one side of the wall, but not the other. This connects the wall to the road outside which in turn links it to the rest of the locality, some limited bus services, amenities and the nation as a whole. There used to be a railway serving the area but this was closed and has not been reopened, though it may do one day. Meanwhile it is possible to use buses or cars, which are parked in the road outside. Access therefore to view the wall is adequate though not as good as it could be. It is estimated to have an accessibility (PTAL) rating of either 2 or 3. If you are disabled you would need a wheelchair to get from the road to the wall, but, because the site is flat this is usually possible on the side where there is a path, though the other side of the wall may be a little more difficult to see, as there is no path there. Sometimes it rains which may discourage wheelchair users as much as others from coming to see the wall.

### 8.0 Scheme impact.

The increased height of the wall may appear to some to be an improvement in its proportions, since the relative height to its length is increased, albeit only slightly. Others may prefer that it remained at the height it is, but if so they have not advised the applicant of this opinion. The bricks chosen for the addition are much like many to be found in the area, as is the type of mortar used. Sunlight and daylight studies have not been undertaken but it is probable that the extra height will result in some slight loss of daylight but this may be offset by the increase in privacy enjoyed by those who are more concerned with that, unless of

course they want to peer over the wall, which many may wish to do.

### 9.0 Sustainability

It is believed that the additional brickwork will not give rise to any instability in the existing wall and the applicant would be willing to agree to a condition requiring the reuse of similar bricks, although the mortar will be new and require to be applied by bricklayer specifically employed for the purpose. It is to be hoped that the benefit of the additional employment will offset any risk to the planet through climate change.

### 10.0 Environmental Impact

An ants nest was found at the foot of the wall last year which may have attracted some predators and someone said they did see a small fox by some dustbins further down the road. The raising of the wall may increase the deterrent effect to foxes but assist alighting birds which will have a slightly higher landing area.

### 11.0 Community Involvement.

The immediate neighbours were consulted about this application by the applicants. This was done by means of a neighbourly chat over the existing garden wall. The wider community has not been consulted, either formally or informally, but it is anticipated that the local Interference Society will inevitably object to the application, for no good reason other than that they have a policy of resisting change.

### 12.0 Relationship to Policy

The Unitary Development Plan, draft Framework Document, Supplementary Planning Guidance and national policy are silent on the implications which the wall may have, but national legislation is quite clear that the scheme requires planning permission\* and so an application is being made with the necessary 1APP form (as adapted by the local Council) and the necessary fee (allowing for increases on 1st April 2008).

*\*Development not permitted*

*A.1 Development is not permitted by Class A if—  
(c) the height of any gate, fence, wall or other means of enclosure maintained, improved or altered would, as a result of the development, exceed its former height or the height referred to in sub-paragraph (a) or (b) as the height appropriate to it if erected or constructed, whichever is the greater ...*

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