

Barker Review of Land Use Planning

As you are aware, St George strives for excellence in delivering sustainable mixed use, mixed tenure developments across London. We remain the only property developer to have been granted The Queen's Award for Enterprise: Sustainable Development and we take our responsibilities for environmental stewardship seriously.

Your review is welcome and we note it will assess:

- 1 Ways of improving efficiency and the speed of the system.
- 2 Ways of increasing flexibility, transparency and predictability that enterprise requires.
- 3 How the outcome of the planning system can better deliver sustainable, economic objectives.
- 4 The relationship between economic and other sustainable development goals.

Our response is therefore structured to reflect these four areas of your assessment.

1 Ways of improving efficiency and speed of the system

- a) Government household projections for London identify the growth over the next 20 years of over 507,000 one person householders, of the 724,000 households.
- b) New housing completions in London last year were 20,800. Affordable Housing completions were lower last year at 7,712 than before the London Plan was adopted i.e. 8,224 in 2001/2.
- c) It is therefore essential that ways of improving efficiency and speed of delivery are achieved.
- d) As a mixed use London developer, we are finding it is taking longer to secure planning consents now than at any time in our organisation's history.
- e) Equally, the speed of policy change has accelerated (and continues to accelerate) faster than we have ever seen. This is fundamentally undermining our ability to deliver the new homes necessary for London and to expand and grow the business.

- f) In order to speed up the planning system we would make the following constructive suggestions.
- i) There should be a presumption in favour of brownfield development.
 - ii) The attached 10 point plan should be followed. This would create a rapid process whilst protecting the Government's policy objectives.
 - iii) Planning appeals should only examine matters of dispute between the parties, and not review all aspects of the development.
 - iv) The First Secretary of State/Inspectors should increase the use of Minded to Grant/Refuse options to allow the applicant to respond to concerns rather than start again, if refused.
 - v) If a refusal is given, clear guidance on necessary action should be provided.
 - vi) Significant weight should be given to professional stakeholders' views, including Planning Officers recommendation.
 - vii) A presumption in favour of mixed use schemes on employment sites where they have been derelict for over five years.
 - viii) A dedicated London Inspectorate who recognise the need for delivery and the specific circumstances in the Capital would be helpful.
 - ix) Policy to be frozen at time of application.
 - x) A fast track appeal system for schemes with Officers recommendation for approval which have been overturned by Members.
 - xii) An Inspectorate/ODPM project review mechanism to provide clear and constructive guidance.
 - xiii) Positive planning powers for the Mayor of London.

2) **Ways of increasing flexibility, transparency and predictability that enterprise requires**

- a) The changes to planning processes and policies need to be avoided unless there is a critical need for their introduction. This will improve predictability.
- b) In pursuing transparency, Local, Regional and Central Government are increasingly seeking commercial, sensitive information. At present, there are reasonable protections at Local Government level.

For example:

- i) When financial information is being considered by local authority committees, it can be taken on a Private and Confidential agenda.
 - ii) At Regional level, we have been able, until recently, to use an independent appraiser to confidentially assess project viabilities and report findings only. However, the Mayor's Office is increasingly asking for the commercial data and this is causing concerns around confidentiality. Freedom of Information exceptions are now being offered.
 - iii) However, at Planning Inquiries, no such protections exist. We are therefore very concerned about how any commercially sensitive information is considered. Recent appeal experience shows Inspectors seeking viability tests and refusing to accept locally agreed information without such demonstration. This is a serious issue for PLC companies.
- c) There is no predictability with the current planning appeal process. In a recent case, despite support from all professional stakeholders i.e. English Heritage, GLA, Environment Agency, Police and Local Authority officers, and the scheme being in line with the adopted planning brief, yet it was refused by Members following community opposition and dismissed at appeal.

It is difficult to understand how one Inspector can set aside such a wealth of professional opinion, contradict himself in his report, give no clear guidance but the applicant has no redress.

There is no mechanism to seek clarity or recommendations as to what would be seen as appropriate. It just tells you what you "can't do" and gives no help in what you can.

- d) We currently have thousands of homes in the planning system and have no predictability on time or outcome of decisions.

As a planning consent is a fundamental requirement of our business, it would be helpful to see a further review of the Planning process with local authorities and Inspectors taking a responsibility to give clear guidance on what is required to secure consent, rather than the present system which allows them to refuse without any guidance.

3 **How the outcomes of the planning system can better deliver sustainable, economic objectives**

- a) Economic prosperity in the UK is projected to be driven by a service and knowledge business profile.
- b) It is unlikely that traditional blue collar manufacturing will see significant growth, particularly in London.
- c) Mixed use developments should therefore be promoted on all employment land that has remained undeveloped for five years.
- d) Not only will such sites bring brownfield, derelict land into use, they will create both jobs and homes and reduce the need for commuting.
- e) With such developments, significant employment and training programmes can also be put in place.
- f) Proposals which deliver environmental stewardship, social progress and economic growth should be actively encouraged.
- g) Mixed tenure sustainable communities encourage social interaction and multi level peers. The isolation economically inactive households which we see in mono level Council and social housing communities has failed families, communities and the economy. This is no where more evident than London. For example, Council estates demonstrate extremely high levels of deprivation in location with high employment vacancy rates.

4) **The relationship between economic and other sustainable goals**

- a) I think that the sustainable aims of Government and society are not all achievable at once. The requirements embodied in each successive government and Local Authority policy document, each of which puts the sustainability of its individual speciality (housing, insulation, disabilities, carbon footprint, transport, protection of birds, animals, flora and fauna, accessibility, protection of the countryside etc etc) as the most important predetermining issues, inevitably precludes a balanced judgement even being an option.
- b) Currently the system is leading towards a tick box approach where nothing will happen unless ALL the boxes, which are being added to daily, are ticked. Economically this cannot happen, current discussions on how to finance essential sustainable transport underline this reality.
- c) The Planning System needs to be sufficiently flexible to accept timescales against which degrees of sustainable achievement can be measured. If a sustainable approach to our future is to be seriously addressed.
- d) As an example of the magnitude of this challenge one can examine the decisions that were made after the 38-46 European War when we built large new housing estates to house the homeless. It is clear now that decisions were made then by Government that prioritise getting a roof over people's heads to the expense of most other sustainable objectives (community, design and permanence of building and countryside) were sacrificed against the greater need of the people to be housed near where they could work to drive the economy. Now many of the structures built then have or are coming down. They served an important sustainable objective in the short term (40 years) but are now giving way to new structures which incorporate today's priorities.
- e) Examining the economic impact on private residential development now encumbered with 50% affordable housing is essential.
- f) Currently the Government is funding, through benefits, rent at up to £400 per week in London, yet developers are being required to provide social housing in perpetuity with rent caps at circa £100 per week.
- g) The ability of the private sector to deliver the level of homes necessary with such constraints is exacerbating the delivery costs to the public purse.

- h) A more cost effective solution with a time limited social housing provision of say 25 years could release the requirement for £millions of public sector subsidy and increase rapidly the delivery of both public and private sector homes.
- j) It should not be forgotten that every site now procured by the private sector in London will only deliver 50% of the housing output it would have done pre 1997.
- k) The onus of meeting housing need is only falling to residential development. Employment sites made little or no contribution to affordable housing provision.
- l) Employment sites which often comprise crinkly tin sheds in a sea of car parking, with limited life whilst contributing to the economic objectives are not contributing to other sustainable goals.

Charmaine Young CBE
21st April 2006

A 10-POINT PLAN FOR VIABLE SUSTAINABLE COMMUNITIES IN LONDON

There is an urgent need to increase the delivery of new homes and mixed-use development in London. HBF proposes that when a development meets strict sustainable criteria it should be rewarded with a fast track planning consent.

These are the proposed sustainability criteria:

- 1) The scheme should be on a brownfield site.
- 2) The proposals should be of high quality architectural design.
- 3) A sustainability audit should be provided which includes an accessibility statement.
- 4) An Environmental Impact Assessment should have been undertaken.
- 5) A transportation analysis would also need to be supplied.
- 6) The scheme should be designed to reduce car dependency through higher density with less parking provision.
- 7) The EGAN framework should be incorporated.
- 8) An element of community investment is essential.
- 9) A comprehensive consultative process should be undertaken.
- 10) The scheme should provide for 25% affordable housing at 100% TCI net.