

Speaker	Dialogue
Sheridan Treger	<p>Welcome to episode seven of the Planning Life Insights of Bryan, a podcast looking into the practical things that you need to know to navigate your way through the planning system of England &amp; Wales.</p> <p>Today we will be looking at the new London Plan. Formally adopted on 2 March 2021, four years after its first inception, we will be examining what opportunities and challenges it creates for our clients trying to bring forward their major schemes in our nation's capital.</p> <p>The 2020s was supposed to herald the age of the Megacities. Not news to anyone who's been reading Judge Dredd comics about Mega-City One, Brexit and East-Meg Two since the 80s. Though, at least, we've managed to avoid nuclear war, paramilitary police and muscle-bound actors blurting out "I am the law" every five minutes.</p> <p>Over the last few years, the economic and political power of major cities has been growing exponentially. Cities like London are networked into global webs of culture, commerce and communication that mean they have a shared value system with other global cities. So their identities and priorities are starting to diverge from those of their wider nation states.</p> <p>Major cities have increasingly been trying to embed that Mega City value system into any local laws and policies where they have jurisdiction – that global trend has certainly filtered down into the world of London real estate and is an underlying theme to the London Plan - from approaches to viability and affordable housing to air quality.</p> <p>The London Plan really matters. It is the statutory spatial development strategy for London. Borough Local Plans must be in 'general conformity' with the London Plan, ensuring that the planning system for London operates in a joined-up way. Also, decision-makers are required by law to determine planning applications in accordance with it as part of the development plan, unless material considerations indicate otherwise. So the Mayor's new London Plan will shape development across the city for the next twenty years. It will play a crucial role in the city's success and prosperity, driving housing delivery, economic recovery and sustainable development, and release of the new London Plan comes at a really pivotal and challenging time for London, as it seeks to establish a new post-Brexit identity and maintain its global position, emerging from the COVID pandemic.</p> <p>My name is Sheridan Treger. I'm on the planning team of law firm Bryan Cave Leighton Paisner and I'm joined by fellow Mega City Judges Clare Eccles, our team's dedicated know-how lawyer, the closest thing we have to Judge Cassandra Anderson of the PSI Division of the Justice department of Mega-City One. I do not think Clare has any psychic powers, but she certainly keeps an eye on the future of legal and policy planning changes like the London Plan. I am also joined by Rookie Judges, our trainees, Laura Johnson and James Murphy. Though rookie by name, though certainly not rookie by nature.</p> <p>We also caught up earlier for some expert insights from Sarah Bevan at London First, Chris Whall at Air Quality Consultants Limited and of course, BCLP Partner Giles Pink. They will be helping us on policy areas that were the focus of the Secretary of State's directed revisions during the Plan making</p>

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	<p>process, and will be of particular interest to developers bringing forward major schemes in the capital.</p> <p>Good afternoon everyone.</p>
[ <i>simultaneously speaking</i> ]	Good Afternoon, Sheridan.
Sheridan Treger	James, the new London Plan is certainly ambitious, isn't it?
James Murphy	It certainly is; but then it has to be. It's got the challenge of delivering growth in a constrained city for a population projected to increase by 70,000 each year, reaching 10.4 million by the end of the Plan's term in 2041. It aims to do this with an overarching objective of what it calls "Good Growth" that is 'socially and economically inclusive and environmentally sustainable', claiming to be 'more ambitious and focussed than any previous London Plan'.
Sheridan Treger	<p>Now we are not a political podcast, so we are not really going to get into it. But, I'm reminded of something said by OTTO VON BISMARCK, unifier of modern Germany: "Gesetze sind wie Würste, man sollte besser nicht dabei sein, wenn sie gemacht werden." I could have just said anything there couldn't I? But basically, laws are like sausages; best not to see them made. That is often true of planning policy and the London Plan which has been almost four years in the making and at times has not been a pretty sight. So much good will for doing the best for London but people do come from different angles.</p> <p>Clare, any psychic insights?</p>
Clare Eccles	<p>Well, Sheridan, if we just take a look at the last year or so of the emerging London Plan's drawn out journey, we are not delving into any ethereal universe.</p> <p>After its initial consultation, the draft Plan went through a lengthy five-month Examination in Public in 2019, where as you would expect for a Plan of this status, the policies were closely scrutinised and examined. The first Intend to Publish version of the new Plan that was submitted to the Secretary of State at the end of December 2019, did not get the green light for approval. Instead, the Secretary of State criticised the Mayor and his plan on a number of fronts, including his track record on housing delivery and that the new Plan would actually make development more difficult and fail to bring more land into the planning system.</p> <p>He then issued thirteen directions to the Mayor directing changes to certain policies. The Mayor ultimately conceded the directions and the second Intend to Publish version, which have been modified, received approval at the end of January 2021. So to this version, it is now the adopted new London Plan 2021.</p>
Sheridan Treger	<p>Great stuff. Now, one of the policies of greatest interest to our developer clients has always been the Mayor's strategic target for 50% of all new homes delivered across London to be genuinely affordable. This is now Policy H4 and the threshold approach to viability and affordable housing is firmly embedded as policy in Policy H5 of the new Plan.</p> <p>The Mayor has long thought that affordable housing in the capital is broken and aspired to a minimum 35% affordable housing requirement to be embedded as policy and for this to be reflected in the London housing market, and ideally 50%. This was to cut what some saw as a downward spiral in the 2000s and 2010s which led to an average of only 13% affordable</p>

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	<p>housing as the norm, even during property booms. This was described as the “circularity”. Which sounds kind of science-fictiony but is perhaps more “Tales from the Loop”, that newish sci-fi series than Judge Dredd. I wish Joe, one of our previous trainees, were here to see we can do references to TV more recent than the 80s.</p>
James Murphy	<p>Yes, but Sheridan, you clearly never got that far into seeing “The Loop” because it’s nothing to do with circular patterns – it’s actually a machine built to unlock and explore the mysteries of the universe.</p>
Sheridan Treger	<p>Well James, we don’t need a machine to unlock and explore the mysteries of the universe; we have Clare. Anyway, to the Mayor there was no mystery in the “circularity”. That is that land values provided in viability assessments where developers set out how much affordable housing could reasonably be required, were based on recent comparable acquisitions (or actual acquisitions) which might themselves in turn have overpaid on land values. Because at the time of acquisition, those comparable acquisitions had assumed that when it came to the planning stage, less affordable housing would need to be given than a future policy compliant scheme might actually need; because they could say, “they’d paid so much for the site there was nothing left in the kitty for the target affordable housing which policy required. So Councils never ever got an optimum policy compliant affordable housing offering and the cycle, what we now call “the Loop”, instead of the circularity went on-and-on.</p> <p>The Mayor wanted to be clear that in London there would be no escaping what he regarded as policy compliant affordable housing commitments. Going forward, City Hall said, developers could use that as a bargaining chip to bring down property prices, to enable scope for policy compliant affordable housing when they came to the Planning stage, to build affordable housing into the price that was paid for sites. And City Hall officials also made pretty clear informally that if this meant certain sites in London would sit fallow because developers had overpaid, well that was a price worth paying to break the Loop; and if landowners in no rush to sell were going to sit on their sites hoping for the storm to blow over and policy to change instead of releasing their sites into the market, well City Hall said, “they would be waiting a long time.” So James and Laura, take us through what Policy H5 finally says about affordable housing requirements and where we are now.</p>
James Murphy	<p>OK, so first you need to understand where the thresholds for affordable housing on residential development have ended up. This is initially set at a minimum of 35% of which must be affordable. However, for public sector land this is 50% and it’s also 50% for most kinds of industrial land and that’s to reflect the potential significant difference in value between the two uses.</p> <p>In the same way as the Supplementary Planning Guidance issued by the Mayor on Affordable Housing and Viability back in 2017, you have still got the Fast Track Route for proposals that meet the 35% affordable housing threshold or 50% if it’s public or industrial land. Planning applications allocated to the Fast Track do not need to provide a viability statement, which can be a really big incentive. Otherwise, applications follow the Viability Tested Route, which means developers need to submit detailed supporting viability evidence explaining why more affordable housing than is offered can be provided.</p>
Sheridan Treger	<p>And the Borough and Mayor will then scrutinise the viability information to make sure the maximum level of affordable housing is being offered. They could decide that a greater affordable housing contribution that is being</p>

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	<p>offered is viable. Maybe even one that exceeds the 35% or 50% threshold levels. Ongoing viability reviews are also required under this route throughout the development process until most of the dwellings are sold to capture any changes that mean the development could support a higher level of affordable housing.</p>
<p>Laura Johnson</p>	<p>That's right Sheridan. I would just add that to get into Fast Track Route it is not just hitting 35 or 50% affordable housing full stop. You also have to meet a number of other criteria; for example, you have to comply with the relevant affordable housing tenure split which requires a minimum of 30% low-cost rented homes as either London Affordable Rent or Social Rent and a further minimum of 30% intermediate products which counts as "Genuinely Affordable Housing", including London living rent and London Shared ownership. The remaining 40% is up to what the Borough considers to be low-cost rented homes or intermediate products based on the identified need.</p>
<p>Sheridan Treger</p>	<p>That is very interesting. The sense I get from clients is that some have either looked for opportunities outside London because they don't like the threshold approach. Or where developers are pursuing London schemes and been told 35% is politically sacrosanct, they have said we are on board with that but something needs to give on the Boroughs' other contributions or its perhaps slightly more aspirational infrastructure hopes. So it's accept the threshold approach is here to stay and debate over the threshold approach moved on to what affordable housing tenure split accounts towards that 35%.</p> <p>Again, very interesting. But Laura, there are still other criteria to get onto the Fast Track Route, aren't there?</p>
<p>Laura Johnson</p>	<p>Yes, that's right, a couple more. Your scheme must meet other relevant policy requirements and obligations to the satisfaction of the Borough and the Mayor, where relevant.</p>
<p>Sheridan Treger</p>	<p>A nice sweeper provision there, presumably to try and halt other policy requirements having to be abandoned by Councils during negotiations to enable that minimum 35% of affordable housing to be given, whilst also allowing a bit of an element of discretion.</p>
<p>Laura Johnson</p>	<p>True; also you've got to demonstrate you've taken account of the strategic 50% target in Policy H4 and have tried to get grant funding to increase the level of affordable housing.</p>
<p>Sheridan Treger</p>	<p>Let's get a view from Sarah Bevan of London First then, on the consensus of her members on that Threshold Approach, now that the dust has settled on it and particularly on the tenure mix in Policy H5 because I know a lot of our clients have seen opportunity in that mix. Here's Sarah.</p>
<p>Sarah Bevan</p>	<p>Well, I think members really value the clarity and the certainty that the Threshold Approach can bring to a project, especially now that it is being around for over three years. It means that its really embedded itself into the land valuation process and so it's reflected in the price that developers pays for a site upfront; and of course an applicant does still have the flexibility to go down the "Viability Tested Route". You know, it's never any unforeseen cost or circumstances which means that the test as a threshold approach can't be met on that particular project. So that flexibility is welcomed.</p> <p>But although there have been these benefits I don't think it's speed up planning decisions making to the extent that was originally hoped for. You know, the main problem is that an applicant has to adhere to quite strict requirements on dwelling mix within that 35%. For example, one of our members recently told me they had a scheme where they had land affordable</p>

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	offer of 50%, but because they didn't quite meet the GLA's mix requirements and have to go down the "Viability Tested Route" even though they were far exceeding their 35% threshold. You know, that is where the system is just a bit too rigid. You know, it risk undermining delivery because that developer would actually have been better off reducing their overall affordable offer and then changing the mix. But that would not have been the best outcome for affordable housing plans in London, would it?
Sheridan Treger	OK, let's move on to "Intensification" because of course in a highly developed city constrained by Green Belt, policies around intensification and density of development will always be important in London; Clare.
Clare Eccles	<p>OK, so this was a policy area that the Secretary of State was not happy with initially. He thought the Plan could result in high density proposals being considered in isolation which could of resulted in development of inappropriate sites. He directed specific changes that requires developments are consented only in areas that they were able to accommodate them. The polices also supports intense location that is proportionate to a site's connectivity where higher densities will in general be permitted on site with higher public transport access and accessibility to down centres.</p> <p>Existing higher density areas can also be expanded and this could include expansion of Opportunities Areas boundaries. But also incremental densification is actually encouraged and recognition is given in the policies to the capacity of low density commercial sites, car parks and retail parks, the housing intensification and mixed-use redevelopment.</p> <p>The way things stand, the adopted plan requires that development optimises capacity and it supports intensification and higher density development, but this must be directed to the most appropriate sites and at a level that is proportionate to its connectivity.</p>
Sheridan Treger	So, basically, what you're saying there Clare is, if your site is decent public transport access and is accessible to town centres you're more likely to get consent for higher densities?
Clare Eccles	Exactly, that's it.
Sheridan Treger	So where do things stand on "Green Belt" and "Metropolitan Open Land" (also called "MOL" or MOL and is treated as Green Belt), which are basically one of the key constraining polices which are fuelling this need for densification, Clare?
Clare Eccles	So, the original policy on the Green Belt and Metropolitan Open Land was criticised for its inconsistency with national policy. For example, there weren't any references to 'exceptional circumstances', which the Secretary of State thought could be confusing for applicants and decision makers. So these policies were ultimately modified and they now mirror national policy in the NPPF, which requires exceptional circumstances to justify the extension or de-designation of Green Belt of Metropolitan Open Land.
Sheridan Treger	OK, so James, could you just summarise then for us the London Plan Tests as they now stand on Green Belt?
James Murphy	So, the Plan strongly supports the continued protection of London's Green Belt, and requires it to be protected from inappropriate development. Therefore, development proposals that would harm the Green Belt should be refused except where very special circumstances exist. The enhancement of the Green Belt to provide appropriate multi-functional beneficial uses for Londoners is supported subject to National Policy Tests and exceptional

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	<p>circumstances are required to justify that the extension or de-designation of the Green Belt through the preparation or review of a Local Plan.</p>
<p>Sheridan Treger</p>	<p>I guess if London is to grow its going to go up, and we have spoken about densification or grow out. But there is a view that it's unrealistic to think that Brownfield sites and densification alone will meet the scale of London's housing need — kind of like when you hit middle age, you know, you're still growing but realistically it's not up any more. So a lot of groups are asking when is there going to be a Green Belt review?</p> <p>I asked Sarah Bevan what London First members think about where the London Plan's Green Belt policy has ended up, whether they think there is any real prospect of a serious re-examination of the Green Belt and what will happen without that re-examination. Here's Sarah:</p>
<p>Sarah Bevan</p>	<p>Well unfortunately, all that's really happened is a result of the contention between MHCLG and the Mayor, is that the Green Belt and MOL policies in the London Plan are now consistent with the wording of national policy. So in my view, that doesn't make it any more likely that a Green Belt review will actually take place. You know, the Outer London Boroughs that contains some Green Belt have the right to review that bit of boundary through their local town process that is if they can satisfy the "Exceptional Circumstances Test".</p> <p>The Mayor wouldn't actually have the power to undertake a whole site [SP] Green Belt review himself because the vast majority of the Green Belt lies in the wider Southeast, beyond his administrative boundary.</p> <p>So all of this means that individual authorities can continue to chip away bits of their Green Belt in an <i>ad hoc</i> fashion but what we have longed called for is a comprehensive review of the Green Belt.</p> <p>In 2019 we held assistance jury that addressed this very question. We brought together 12 randomly selected Londoners and they had two days of evidence from various speakers, speaking for and against Green Belt review. At the end of those two days, they rated 11 in favour and one against if it meant that more affordable homes could be delivered which proves, when you do speak to Londoners and explain the trade-offs and so on, they are supportive of a review.</p> <p>There needs to be looked at holistically across societies to ensure that the Green Belt remains fit for purpose and we are not losing out on opportunities for sustainable housing.</p> <p>A Strategic review would be able to identify those [<i>inaudible</i>] bits that are in accessible locations that may be suitable for housing and not set needs if necessary with land swaps. But until there is a direction from Central Government, or there is a satisfactory framework whereby the Mayor and the wider Southeast authorities are forced to collaborate on Regional planning, I really can't see much of a review taking place, to be honest.</p>
<p>Sheridan Treger</p>	<p>Clare, the other big bone of contention between the Secretary of State and the Mayor was housing delivery, wasn't it?</p>
<p>Clare Eccles</p>	<p>That's right, the concern was that ambitious boroughs were discouraged from delivering housing above their targets and that the draft policies undermined the national housing delivery test approach because boroughs could have avoided penalties for under delivery if this was due to factors outside their</p>

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	<p>control. However, amendments were made so boroughs are now allowed to deliver housing in excess of their targets, if the evidence suggest that this is possible.</p> <p>The policy that offered a 'get out' to authorities under delivering on housing was also modified, so boroughs must now face the pressure to deliver housing and the consequences of under delivery without any excuse.</p> <p>The housing policies were also modified to address the concerns that they failed to provide for a wide choice of homes in the original form of the policies, particularly family homes for which there is a strong need.</p> <p>Also amended to support housing delivery, were the policies on the release of industrial sites for housing, which the Secretary of State thought were over-restrictive as originally drafted. As originally drafted, the policies required no net loss of existing industrial land, but this requirement was removed following direction. The adopted policy now means that lands designated as Strategic Industrial Land can be released and re-provided in new locations either within or outside London, but this must be done through a plan-led approach and it must be evidence based.</p>
Sheridan Treger	<p>You know, this is a good juncture to get a view from Giles Pink, one of the Partners in our team who does a lot of work on major housing schemes in London on what opportunities there are in the new London Plan for housing-led proposals in the capital. Here's Giles.</p> <p><b>[Clare to liaise with Giles for recording. If he has separate ideas please get split up recordings.]</b></p>
Giles Pink	<p>There are a couple of things I would like to mention in the context of the London Plan, particularly in the context of housing. The first is in relation to the 'built rent sector'. We know that for many people, access to housing, be that sale or rent, is a challenge, an affordability challenge. Built-to-rent is a fast growing subsection of housing supply which is dedicated rental property under a single management regime in London with its young population of renters, BTR is thriving.</p> <p>In 2007, the Mayor issued his "Affordability Housing And Viability Supplementary Planning Guidance", looking at a clear view of both the threshold approach to affordable housing as its been discussed but also the approach to BTR. Now fast forward to the London Plan, Policy H11, and we have a continuation of our SPG position.</p> <p>The Mayor has set out clear qualifying criteria for BTR schemes to fulfil Policy H11, why? In order for a scheme to be able to access the "Discount Market Rent" (DMR) tenure for affordable housing which is an intermediate form of tenure or discounts rent but not involving a registered provider; usually not involving a registered provider, I should say. This allows for a departure from the other forms of affordable housing such as "London Affordable Rent" and "London Living Rent" which are policy requirements for normal, non-BTR housing schemes and which would actually be inconsistent with most BTR schemes and the need for management under a single operator.</p> <p>Of course, as with all things in planning, the door is left ajar for local influence on affordable tenure mix other than Discount Market Rents through</p>

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	fairer level development plan policy. So there is an opportunity still for local authorities to influence that mix in BTR schemes but practically appropriate schemes would only be really candidates for that.
Sheridan Treger	Giles also touched on how building upwards, past six stories might not be what it used to. So citywide skyscrapers like Blade Runner, might still be one for science fiction. Giles Pink, again.
Giles Pink	<p>This concession to the boroughs brings me to my second point which is tall buildings policy in the London Plan. Mention has been made already about the constraints on land supply in the context of Green Belt, MOL Policy, Metropolitan Open Land. Another way to alleviate those constraints forces to build upwards. In his direction, issues on the 10 December, 2020, the Secretary of State, Robert Jenrick, required the Mayor to amend his Tall Buildings Policy B9 in the London Plan so that: (a) potentially, any building over six (6) stories or 18 meters could be a Tall Building as defined, and (b) it would be for boroughs to identify in their development plans, the locations for these buildings, as well as confirming the minimum height threshold for Tall Buildings Policy to apply.</p> <p>The Secretary of State has listened to the concerns of the outer London boroughs and depending on your viewpoint, has either interfered with Regional Planning in London, or has reasserted the importance of locally driven development plans. All I would say is, six stories is not so tall. Now that threshold is set, it is difficult to imagine many out London boroughs voluntarily setting taller minimum thresholds. So the pressure on land supply might still be outward rather than upwards.</p>
Sheridan Treger	Now, one of the key issues for any Mega City in futuristic dystopian sci-fi movies is of course air quality. In Blade Runner, by 2050, pollution in LA is so bad everyone is encouraged to emigrate to one of nine off-world space colonies, and some of those don't even have an atmosphere. It's got that bad. So Policy SI1 which deals with improving air quality caught my eye. Laura, what are its key points?
Laura Johnson	Poor air quality is a major issue for London which is failing to meet requirements under legislation. To tackle poor air quality, protect health and meet legal obligations, there are detailed policy requirements for new development proposals and they must meet the following tests: they shouldn't lead to further deterioration of existing poor air quality; create new areas that exceed air quality limits, or delay when areas that are currently in exceedance of legal limits would otherwise achieve compliance; nor create an unacceptable risk of high levels of exposure to poor air quality. So as a minimum, development must be at least Air Quality Neutral and use design solutions to prevent or minimise increased exposure to existing air pollution. Major development proposals must also be submitted with a detailed Air Quality Assessment to show how the policy requirements will be met.
Sheridan Treger	We are fortunate to have got some insights from Chris Whall, the Managing Director at Air Quality Consultants Limited on all of this. These were the top tips Chris had on what this means for developers bringing forward major schemes in London. Here's Chris.
Chris Whall	The links between exposure to air pollution and chronic health impacts are well established. Current UK policies largely to invite [ <i>inaudible</i> ] dockside annual average limit value and the UK objective. Although the greater health impact to fund a particular matter, also known as PMT <sub>5</sub> has acknowledged. There is, of course, pressure to move away from the limit value or compliance based approach to air quality in favour of more general exposure reduction as



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	<p>it seems that these targets do not reflect evidence. There is no safe level for air pollutant such as PM<sub>2.5</sub> and probably also nitrogen oxide.</p> <p>The Mayor has committed to adopting a more stringent World Health Organization Guideline level as a target of PM<sub>2.5</sub>. This would bring PM<sub>2.5</sub> more to the fore but this is still a threshold approach to concentrations that does not fully reflect the health evidence that there is no safe level.</p> <p>Furthermore, by focusing purely on a limit or compliance-based approach, it does not ensure air quality benefits. It's a target towards those communities who are most severely affected. This presents a continuing challenge to policy makers.</p> <p>We have learned from other sectors including, for example, the Net Zero approach to greenhouse gas mitigation which focuses wholly on admissions.</p> <p>The concept of Zero Pollution Cities continues to be a focus for the London Plan and it is recognised that London's air quality problems are primarily a result of a very large number of admission sources, each contributing a very small amount. In light of these issues, back in 2010, the Mayor's air quality structure made reference to new developments being Air Quality Neutral and this requirement was introduced to the London Plan.</p> <p>In taking the concept Air Quality Neutral further, and strengthening policy, the Air Quality Positive approach propose for larger developments in the 2021 London Plan, offers a way to move forward and towards air quality assessments based on health impacts, rather than air quality target compliance. It therefore considers how a development could make an active contribution to improving air quality, as well as minimising exposure to sources of admissions?</p> <p>In the London Plan, the Mayor stated that he would, "produce guidance in order to assist developers and boroughs in identifying measure and best practice to inform the preparation of statements for developments, taking into account an Air Quality Positive approach". So recently, the Mayor has released a pre-consultation draft of its Air Quality Positive guidance dated 19 March, 2021 which sets out the approach to comply with Policy SI1 Part C of the new London Plan.</p> <p>So, this Guidance applies to development that is subject to an EIA, an "Environment Impact Assessment" and is relevant to both plan making and planning applications. So, when plan making, planning authorities should use this Guidance when undertaking the development of master plans, development briefs in area of planning frameworks.</p>
Sheridan Treger	So what does all this boil down to for developers when it comes to making a planning application for their scheme? Chris Whall, again.
Chris Whall	<p>When submitting a planning application, the applicants and, of course, their planners, designers and architects should use this guidance to ensure planning applications are delivered using an Air Quality Positive approach.</p> <p>The Guidance published by the Mayor sets out the requirements for these developers to submit an Air Quality Positive statement at the planning application stage that outlines the Air Quality Positive approach taken.</p>

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	<p>The Development design teams should then use this opportunity to deliver an Air Quality Positive development in combination with addressing other requirements with the London Plan Policies at an early stage, such as those relating to transport and energy. As is expected, the air quality expertise has been engaged throughout the design process in order to maximise the potential benefits.</p> <p>The Air Quality Positive approach is not an assessment in its own right, it instead brings together a range of evidence in support of a planning application to show how air quality has been considered holistically.</p> <p>This Guidance consider measures that contribute to the delivery of an Air Quality Positive scheme under a number of themes. The first theme is, better design and reducing exposure. This focuses on how the design could promote or create better air quality. This may include considering the shape, orientation, height, location of buildings and whether these may lead to an accumulation of pollutions.</p> <p>The second theme is reducing building emissions by utilising low or Zero Carbon Energy Systems that ensure low or zero emission of air pollutants. It is important that the overlap between carbon and air quality. Thirdly, transport emissions could be minimised as new development can positively influence travel behaviour in the surrounding area. Appropriate infrastructure could make low emission transport options more desirable, can consolidate troops, and reduce individual freight movements. The output from this process is an Air Quality Positive statement that should accompany the planning application and demonstrate how the development has responded to its environment and contributed to improving air quality. Air quality constraints and opportunities need to be considered in the design stages as well as throughout the design process through to planning. The guidance requires evidence on what air quality measures have been included in the design, the development, such as those positive are identified. For large scale development it is expected that the air quality expertise has been engaged throughout the design process in order to maximize the benefits. Air quality consultants have been actively working with the mayor of London for the past 4 years preparing technical reports to assist in the development of Air Quality Positive guidance.</p>
Sheridan Treger	So here's Chris on the take home tips for developers who want to plan ahead.
Chris Whall	Well firstly at this stage, it is important to recognise that at this stage, the air quality positivity guidance is only a consultation draft and that it will be formally consulted on in the summer of 21. However, regardless of the status of the guidance, the principles of it should, in my opinion, form part of the vision, design, and evolution of development in London and elsewhere. We need to think beyond the limits value or compliance based approach to air quality. And look to use development as an opportunity to improve air quality and health, whatever the limits, whilst delivering landmark sustainable development.
Sheridan Treger	As with so much on planning, waiting until scheme design is fixed to sort out an intrinsic problem, is a false economy. And air quality, along with so much else, should definitely be on a project manager's horizon scanning at the earliest stage. Here's Chris.
Chris Whall	Air quality is excessively influenced design considerations but only at where it is considered at the start. If a routine air quality assessment is only commissioned after scheme freeze, there are limited options that can be

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	implemented to improve air quality. If air quality considerations are brought in at an early stage, such as dictated by air quality positive, these constraints and opportunities can be identified at the beginning and incorporated in an easier and cheaper manner. Engage air quality consultants at the earliest possible stage of a project in order to maximize the potential benefits. We can work with you to design the air quality measures and work with design teams to deliver Air Quality Positive outcomes and our planning consent.
Sheridan Treger	Some great practical insights there. Now I'm mindful of the Government's White Paper on planning published last summer, and how it proposes a fundamental re-focusing of local plans. My mind turns to the now pretty standard narrative arc of most sci-fi, and indeed fantasy tales. The protagonists spend most of the story struggling with challenges and baddies in what towards the end turns out actually to be quite a narrow arena, and some bigger and badder giant tsunami is actually waiting to wash over everyone from off-stage. Think of the army of the undead north of the wall in Game of Thrones, coming in silently to crush all of the squabbling families in Westeros. Or think of that streaming series Tribes of Europa, where there's been some apocalypse where everything digital just goes dark, all manner of horrid factions are squabbling over a western Europe where the biggest city is now Berlin with just 80,000 people but actually some weird swirling emerging blackish phenomenon of continental scale, a beast from the east, is gently waiting to wash over what remains. Here, it's taken at least four years for City Hall to achieve its adopted London Plan. But the Government's White Paper, "The Beast from the East" last year on planning, envisages all development management policies potentially being stripped out of all local plans, so these are contained in the NPPF only. Local plans could basically consist of little more than a digital plan setting out allocated growth areas, renewal areas or protected areas if a UK version of zoning is introduced. So Clare, what does this going to mean for the London Plan?
Clare Eccles	Well first of all, I would recommend to anyone interested in the White Paper listening to episode #4 of this podcast series.
Sheridan Treger	Yep. Search iTunes or a link to it on this episode's web page.
Clare Eccles	Second of all, that's a great question. The answer is we don't really know. There's little mention of the London Plan specifically in the White Paper. There would likely still be a role for it if the White Paper proposals are taken forward, but as you say, it would probably be limited to land allocations with annotations to identify zones (for example 'Growth Areas') and housing distributions. But MHCLG is expected to publish its response to the White Paper this spring and a Planning Bill later in the year. So, we will have a better idea then of which proposals will be taken forward and how the London Plan will fit within the reformed planning system and if and what modifications are required.
Sheridan Treger	Right. OK so, everyone keeps saying how COVID will turn out to be a catalyst for some very big social and behavioural shifts that will then play out in our humble world of Town and Country Planning. If there is a huge long-term rise in home-working, will there still be the same pressures on housing in London? If there is less foot fall and there are fewer cars in central London, what does that mean for retail or air quality policies? So, I couldn't help but ask Sarah Bevan of London first, what changes if any the London Plan will now need. Or, is it too soon to tell?  Here's Sarah.
Sarah Bevan	Well, there's been some very interesting debates that's true about what impact the pandemic will have on our lives on return but it's still really difficult

Speaker	Dialogue
	<p>to predict what those future trends might be. Think once we started working remotely [<i>inaudible</i>] and business just still continue functioning just fine and without the need to commuting and so on. There was lots of talk about will this be the death of the office. But given how long this has been going on for now; businesses has started to see the negative effects of their teams not collaborating in person. And inadvertently my conversations with different businesses suggest that business leaders and employees are like desperate to get back to the office. Probably not on a five day week basis but I certainly don't think the office is dead. And we will need to see some changes the way the offices are designed and laid out. Of course to reflect new hybrid ways of working. But also a lot has been made [<i>inaudible</i>] of residents from London. But in reality these are [<i>inaudible</i>] foreign residents who have gone home for variety of reasons and they may or may not come back. And then the smaller percentage is London has made these different parts of the country permanently. When the economy gets itself back into gear we would expect London's population to start increasing again. Indeed members keep telling us that the housing market is still performing well. And yes, it's been [<i>inaudible</i>] intervention like the [<i>inaudible</i>] holiday helped to buy. The sales continue to be strong and you know what we hear is that developers haven't taken their foot off the gas in terms of construction or declaring new sites. It pretty much sounds like business as usual out there which is very encouraging.</p> <p>So all of this suggests that the London Plan does remain fit for purpose; in my theory. I think the major issue facing London is what is happening in the retail sector. But these trends were already happening before COVID. And the London Plan already prides in flexibility around the cars and London's high streets [<i>inaudible</i>].</p> <p>But, I think the biggest challenge for the London Plan is going to be housing supply, you know without a doubt the new standard method for housing needs and the pressure on large cities to deliver a 35% uplift. You know we ended up with a Plan that seeks to deliver 52,000 homes per annum even though it identifies a need for 66,000. And the new standard method will require 99,000. And that's [<i>inaudible</i>] planning climate in London and the next plan is going to need significate step change to overcome that quite frankly</p>
Sheridan Treger	<p>Well there have been some great insights and I think we'll call it a wrap there. Hopefully our listeners have managed to avoid the fate of most citizens of Mega-City One, sensory deprivation born of a world of unemployment due to robots and software doing all the work, it will never happen. Or getting shot by one of the Judges for some comically minor infraction of the criminal code. But maybe we'll do an episode on planning enforcement another time.</p> <p>Anyway, you've been listening to Giles Pink, Clare Eccles, Laura Johnson, James Murphy and me, Sheridan Treger from BCLP with insights from Sarah Bevan of London First &amp; Chris Whall at Air Quality Consultants Limited. You'll be hearing from us again in the next episode of the Planning Life Insights of Bryan.</p> <p>Keep well and keep safe.</p>