

A problem with the draft London Plan?

Strategic planning is only going to work nationally if objectively assessed housing numbers are handed down by government to each strategic authority, says Simon Ricketts

The 16 July 2026 London Plan consultation draft was published before the publication of the government's 17 August 2026 National Planning Policy Framework which sets out the tests which strategic development strategies such as the London Plan should meet. In my view, it does not meet those tests.

The current consultation process (mainly closing on 15 October 2026 but with a later closing date of 23 October in relation to corrections announced on 11 September to ten boroughs' proposed brownfield housing targets) does not have the benefit of any explanation of the Mayor's position vis a vis compliance with the 2026 NPPF nor either any justification for non-compliance or any stated proposal to prepare a further updated draft.

Why does the 2026 NPPF apply?

See Annex 1:

5. Spatial development strategies should be produced in accordance with this Framework.

7. For all plans that should be produced in accordance with this Framework this means the policies in this version of the Framework will apply from 17 August 2026.

8. Any other plans should be produced in accordance with the version of this Framework published in December 2024, unless any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply).

There's no transitional arrangement for SDSs such as the London Plan which may have reached a particular stage short of publication of the final version. Because paragraph 8 says "any other plans" Annex 1 to the 2024 NPPF doesn't apply.

What does the 2026 NPPF require?

Policy S1 states that SDSs should seek "to meet the development needs of their area, as a minimum" by "providing for objectively assessed needs for housing, business and other uses (including supporting infrastructure), as well as any needs that cannot be met within neighbouring areas, unless:

i. The application of the policies in this Framework that protect areas or assets of

particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

ii. Any adverse impacts of doing so would substantially outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

Policy HO1 states that the preparation of SDSs should be based on:

a. A housing need assessment that establishes the overall number of homes needed in the area as a minimum over the plan period, using the standard method in Annex D;

b. An assessment of the permanent and transit site accommodation needs of travellers in the area as a minimum over the plan period; and

c. An understanding of any accommodation needs that cannot be met within neighbouring areas.

Under policy HO2, a housing requirement is then established for each local planning authority within the strategy area.

Under policies PM10 and PM11 there needs to be co-operation between plan-making authorities to identify and address cross-boundary measures where, for instance, development needs that cannot be met wholly within a particular plan area could be met elsewhere and this must be demonstrated by statements of common ground. "Where it has not been possible to fully address cross-boundary matters, plan-making authorities should demonstrate that they have taken all reasonable steps to address them".

Under the soundness test for SDSs (policy PM14.2): "Positive – the strategy sets out a positive approach to delivering growth which, as a minimum, seeks to meet the area's objectively assessed needs, and is based on effective joint working on cross-boundary strategic matters. **A strategy which does not provide for objectively assessed needs should be considered an exception, and only where it is evidenced that stringent efforts have been taken to meet those needs through cooperation with other strategic planning authorities**".

I have emboldened that last sentence, which indeed has footnote 20 against it: "This also applies to the Mayor of London."

Simon Ricketts is a partner at boutique planning law firm Town Legal LLP
Personal views, et cetera



What is potentially in conflict?

There are wider, more fine-grain, issues as to whether the draft London Plan meets the first three requirements of PM6:

a. Only address matters, and include policies, that are necessary and relevant to the plan being prepared, and that avoid unnecessary duplication of other parts of the development plan;

b. Only include policies that extend beyond site or location-specific requirements where these are necessary and where plan-makers consider there is a clear and justified reason for inclusion;

c. Not include policies which duplicate, substantively restate or are inconsistent with the content of national decision-making policies, unless directed by other policies in this Framework

But I wanted to focus for the moment just on the overall housing numbers for which the Mayor of London is planning for in the draft. This is proposed to be a 20 year plan. It is noted in the first chapter: "The government has set the housing need in London at 84,884 new homes per year." (paragraph 1.9). The plan "sets out how we can deliver 558,000 homes over the ten-year period up to 2037" (paragraph 1.12).

"This is based upon an assessment of what could be feasibly deliverable in the coming decade, taking into account viability and build-out rates, while analysing and optimising what more is possible through the lens of the Plan's new and ambitious policy framework – representing a step change in the approach to planning for housing in London. This includes policies to boost housing delivery through:

- optimising brownfield sites, building out Opportunity Areas and evolving town centres
- closer integration between land use and transport – leveraging all opportunities from existing

and planned transport, using new tools & approaches

- making a step change in the approach to small sites (e.g. London-wide design code) and suburban densification (through the new Optimisation Framework)
- targeting some industrial land release in accessible locations for housing
- using the Green Belt to deliver major new settlements and ensure industrial provision, while increasing access to nature and deliver Biodiversity Net Gain.
- deploying a range of tools such as Local and Mayoral Development Orders to increase certainty in planning system and drive density and delivery in sustainable locations
- managing car parking to maximise land available for housing and other needs (and avoid unacceptable levels of congestion)
- tackling viability constraints through consideration of alternative delivery formats, and other development expectations, including quality place-making and more active public sector delivery role." (paragraph 1.13)

"The Mayor is very conscious that this does not meet the government's housing need figure for London. More is possible beyond the initial ten-year period, and the Plan identifies opportunities and capacity to deliver homes up to and beyond the 850,000 – but this requires investment, measures and delivery rates that can only realistically and properly be put in place beyond the ten-year timeframe." (paragraph 1.14).

Surely, factually, this is a draft which does not meet London's objectively assessed needs? This SDS is going to be an important precedent for all others coming forward across the country. Is it enough to plan to undershoot in the first ten years on the basis of what "could be feasibly deliverable" in the second decade of the plan:

- without indeed any evidence that I have seen of "stringent efforts...taken to meet those needs through cooperation with other strategic planning authorities"; and
- without stringent testing as to whether higher numbers might be achieved with reduced development management policy requirements or with

other policy choices in relation to, for instance, density? And without interrogating for instance the justification for assuming an upturn in economic conditions such that the current London housing emergency measures package is no longer necessary past its expiration?

Wider considerations

To my mind, strategic planning is only going to work nationally if objectively assessed housing numbers are handed down by government to each strategic authority, for that authority to apportion to the LPAs within its area unless it has reached an accommodation with another strategic authority or can show that it at least has made "stringent efforts" to that end. Otherwise, we all know the

outcome: many strategic authorities will succeed with special pleading and under this new system we will still end up with a huge national undershoot.

Before this new system goes much further, I think we do need more clarity as to what wriggle room strategic authorities (including the Mayor of London) have in preparing plans which do not meet their areas' objectively assessed needs. Otherwise many draft SDS examinations will simply get bogged down in debates over housing numbers.

Who knows, it may be that 558,000 homes is the right number for London up to 2027, but that is going to need a lot more by way of testing and consideration of other policy options, in my very humble opinion. ■

The pro-development presumptions in the new NPPF

To maximise the prospect of securing planning approval, scheme promoters need to ensure that their schemes press as many of the relevant buttons in the new NPPF as possible, says Simon Ricketts

I have counted 21 of them, which I set out below. Most have detailed qualifying criteria to meet, but hopefully this will allow you to see the wood for the trees in applying the new policy framework. Not triggering the particular policy may in some cases count against you in the planning balance, so this is not quite just the Scrabble approach of always looking to maximise use of those triple word scores.

S3: Presumption in favour of sustainable development

1. Decisions on development proposals should apply a presumption in favour of sustainable development. This means:

- a. Policy S4 in this Framework should be applied when considering development proposals within settlements;
- b. Outside settlements, policy S5 should be applied; and

c. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

S4: Principle of development within settlements

1. Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

S5: Principle of development outside settlements

1. Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

For developments outside settlements, falling within the a to j list is vital. If your land is green >>>

...The pro-development presumptions in the new NPPF

belt the development proposed must not be >>> "inappropriate development" and must therefore fall within one of the a to h criteria in policy GB7 1 – so grey belt development, for instance, also qualifies for this strong pro-development presumption.

CC2: Mitigation of climate change

2. Substantial weight should be given to the benefits of improving the energy efficiency of existing buildings and/or drawing energy from district heat networks, renewable and low carbon sources (including through the installation of heat pumps and solar panels where these do not already benefit from permitted development rights) where this would be achieved through proposals for development.

CC3: Adaptation to climate change

2. Substantial weight should be given to the benefits of improving the resilience of existing buildings and public spaces to anticipated climate change impacts where this would be achieved through proposals for development.

HO7: Meeting the need for homes

1. In applying the policies in this Framework, substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, as identified through needs assessments prepared for the area of the local planning authority and other relevant evidence. This includes, but is not limited to, homes needed for different groups assessed under policy HO1.

E2: Meeting the need for business land and premises

1. To support business growth, substantial weight should be given to:

- The economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt; especially where this would support the economic vision and strategy for the area, the implementation of the Industrial Strategy, support improvements in freight and logistics and/or reflect proposals for Industrial Strategy Zones and AI Growth Zones; and
- Benefits for domestic food production, animal welfare and/or the environment which can be demonstrated through proposals for development for farm and agricultural modernisation.

TC2: Development in town centres

1. In considering proposals for development in town centres, substantial weight should be given to the benefits of:

- Supporting the overall vitality and viability of the centre, including where this can be achieved

through the diversification of uses, intensification and provision of residential accommodation (provided this would not conflict with policies in the development plan for specific locations); and

- Improving or retaining access to local shops and other facilities which provide day-to-day services for the local community.

CO1: Proposals for

telecommunications infrastructure

1. In considering proposals for the expansion or upgrading of electronic telecommunications networks, substantial weight should be given to the benefits of maintaining or improving network coverage, capacity, reliability and resilience, including where significant improvements are required such as along rail corridors. This includes, but is not limited to, providing for next generation wireless technologies (such as standalone 5G), gigabit capable broadband connections and supporting infrastructure such as fibre exchanges.

W3: Renewable and low carbon energy development and electricity network infrastructure

1. In considering proposals for renewable and low-carbon energy development and electricity network infrastructure, substantial weight should be given to:

- The benefits for improving energy security, supporting economic development and/or the transition to a net zero future;
- In the case of applications for the re-powering and life-extension of existing sites, the additional benefit of utilising an established site for this purpose; and
- The contribution that small-scale and community-led renewable and low carbon energy projects can make to reducing greenhouse gas emissions, along with their associated economic and social benefits.

W4: Water infrastructure

1. In considering proposals for water supply, drainage and wastewater development, substantial weight should be given to the benefits of: a. Providing the capacity needed to serve proposed development and/or improving the security of supply and capacity for existing users (both residential and commercial, including agricultural users); and

- Improving water quality and reducing water-borne pollution.

M3: Assessing the benefits

of mineral development

1. In assessing proposals for minerals development, substantial weight should be given to the benefits of mineral extraction and processing, including to the economy.

L2: Making effective use of land

1. Substantial weight should be given to the benefits where a development proposal would achieve one or more of the following:

- Remediating despoiled, degraded, derelict, contaminated or unstable land;
- Making better use of vacant and underutilised land and buildings (such as: by bringing back into residential use empty homes and other suitable buildings; converting space above shops; redeveloping underutilised retail and business sites; and building on or above service yards, lock-ups, car parks and other transport infrastructure which are no longer required);
- Making effective use of previously developed land and buildings through temporary uses, in situations where alternative development is anticipated within a reasonable period (including as a result of the land being allocated for an alternative purpose in the development plan); or
- Creating additional homes or floorspace within settlements by using the airspace above existing residential and commercial premises, or through sensitive redevelopment or additional development within existing plots (including, but not limited to, the addition of mansard roofs, proposals to fill gaps in the existing roof line, the introduction of higher buildings at street corners and additional units within residential curtilages).

GB8: The Golden Rules

2. In considering applications for major development involving the provision of housing on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, substantial weight should be given to the importance of complying with the Golden Rules.

DP3: Key principles for well-designed places

5. Substantial weight should also be given to outstanding or innovative designs which promote high levels of sustainability, or which help raise the standard of design more generally in an area, so long as they are consistent with the overall form and layout of their surroundings.

HC4: Proposals for new and improved community facilities, public service infrastructure and development providing public health benefits

1. Substantial weight should be given to the benefits where:

- New or improved public service infrastructure or community facilities would be provided; and
- Development proposals would make a demonstrable contribution towards promoting good health, preventing ill-health, reducing health inequalities or supporting social interaction in the local community (such as, but not limited to, the provision of new recreation facilities, meeting places and opportunities to grow or purchase healthier food).

OPINION:

>>> P6: Land and operations**for defence and public safety**

1. Substantial weight should be attached to the importance of sites, activities, facilities and infrastructure required to maintain and enhance defence capability, or whose primary purpose is public safety (including uses such as coastal protection works, coastguard and lifeboat facilities and emergency services telecommunications infrastructure), when considering:

a. Proposals for such development (whether through modernisation, intensification, redevelopment or expansion for operational and related purposes); and

b. Proposals which could affect their operational activity and capability, including situations where other development should only proceed where it can make alternative or replacement provision for defence or public safety operations which would otherwise be affected, or where noise from operational activities could affect the proposed development (in which case policy P4 should also be applied).

HE6: Proposals affecting designated heritage assets

2. Development proposals which would have a positive effect on a designated heritage asset should be supported.

HE7: Decisions on non-designated heritage assets

1. Development proposals which would have a positive effect on a non-designated heritage asset should be supported.

HE8: World Heritage Sites

2. Proposals that conserve those elements of a World Heritage Site or its setting, including any buffer zone, that make a positive contribution to it or which better reveal its significance, should be supported.

HE9: Conservation areas

3. Proposals which conserve those elements of a conservation area that make a positive contribution to the area (or which better reveal its significance) should be supported.

Simon Ricketts, 31 August 2026

Personal views, et cetera