

## Heathrow Expansion DCO Consultation Response Housing and Land Use

September 2019

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### 1. Overview

- 1.1 This paper sets out the Mayor's response to the statutory consultation by Heathrow Airport Limited (HAL) on its expansion proposals with respect to the issues of housing and land use.
- 1.2 In summary, the potential loss of housing, likely impacts on the local housing markets, residential amenity, open space, and green and social infrastructure are not sufficiently identified or assessed. These are issues that will have serious implications for Londoners, which must be fully understood before the submission of the DCO.

### 2. Scoping Opinion

- 2.1 The scoping opinion requested that the effect of airport supporting facilities should be scoped in. Table 11.3 of the Preliminary Environmental Information Report (PEIR) states that Airport Supporting Development (ASD) has been included in the assessment, but throughout the assessment it is not clear where this has been explicitly considered.
- 2.2 The scoping opinion also recommended that the Environmental Statement (ES) should explain how the design of any green infrastructure to mitigate the effects of the proposed development will be incorporated into the network of existing green infrastructure which may be used by the community for recreational purposes. While individual elements of existing green infrastructure are picked up in different ways there does not appear to be a joined-up analysis of the existing green infrastructure network as a whole, how the proposal responds to it, and identification of potential impacts and mitigation measures which respond to this and maximise multiple benefits.
- 2.3 A good example of this is the approach to green belt. This has been treated separately and no analysis has been provided of its use/value to the community for recreation purposes alongside open space. It is therefore difficult to see how potential impacts of the proposal have been adequately identified and mitigated.

### 3. Housing

#### *Uncertainty over loss of housing*

- 3.1 The draft masterplan and its supporting assessment may not adequately identify the scale of housing loss the proposals would lead to. The stated total loss of 761 homes in

the Compulsory Purchase Zone (CPZ) – as the PEIR seems to suggest - may be increased by homes in the Wider Property Offer Zone (WPOZ); which could result in significantly higher losses overall.

- 3.2 Many important details regarding the WPOZ or assessment of its potential impact remain absent at this crucial stage of consultation. The PEIR fails to provide a satisfactory level of detail on how the boundaries of the WPOZ were established (i.e. through what criteria affected properties were selected, and whether this adequately accounted for noise, air quality and other negative impacts); the potential uptake of the Wider Property Offer (WPO); and HAL's plans for returning the properties to the market (particularly, any changes to land use class or residential tenure) – if that is indeed the intention. Despite this lack of information, the PEIR does however note the potential for substantial changes to the local population due to 'tenure change as a result of uptake of the WPO' (paragraph 11.9.125). Without clarity on how the WPO would work and an assessment of its impact, it is not possible to make a judgement on the adequacy of this mitigation.
- 3.3 Once an adequate assessment of the number of homes lost as a result of the project has been made, plans should demonstrate how they meet the requirement of draft London Plan Policy H10 (and current London Plan Policy 3.14) in securing equivalent replacement housing in terms of floorspace and tenure.
- 3.4 Beyond the WPOZ, in the wider study area, it is also unclear how HAL has assessed the potential blight caused by air quality and noise impacts, and whether this would render more homes uninhabitable. The PEIR identifies potential negative significant likely effects on people in the inner study area as a result of noise from construction activities and future airport operations. This assessment does not extend beyond the inner study area (or at least give a justification for not doing so) and restricts itself to noise impacts - notably being silent on any air quality harm that may affect local communities. HAL should demonstrate it has assessed impacts at a sufficient geographic scale and ensure that all environmental impacts have been included in such an assessment.
- 3.5 Furthermore, where the PEIR does identify impacts and propose mitigation, there is often insufficient detail provided for the Mayor to make a judgement on the adequacy of the proposed mitigation. For example, the PEIR fails to identify the scale and extent of temporary rehousing required to mitigate noise from construction (paragraph 11.10.44), or the scale and extent of compulsory insulation (and potential consequent temporary rehousing) required to mitigate against noise from future airport operations (paragraph 11.10.49). The absence of critical details such as these - which will have major implications for the day-to-day lives of local communities - at this stage of consultation is unacceptable.

#### *Lack of clarity on potential effects on new development*

- 3.6 There is a lack of clarity on the future constraints caused by the proposals on new development. For example, it is unclear if a new Public Safety Zone/Obstacle Limitation Surfaces will be introduced and how will this affect possible densities and heights of

buildings in surrounding areas. The plans should clarify what constraints the proposal will place on development in the local and wider area.

- 3.7 There has also been no assessment of the potential burden that will be placed on new development due to the need to mitigate against the negative impacts of increased noise and air pollution caused by the proposal.

### *Changes in local housing demand / affordability.*

- 3.8 Given the scale of economic and employment impacts identified in the PEIR and other documents the project is likely to lead to more people wanting and needing to live in the local and surrounding housing markets. These impacts are likely to exert a significant pressure on these housing market areas and affect the ability to meet future needs in these areas.
- 3.9 The PEIR identifies the sensitivity of the housing market across the wider study area (the receptor) to the effects described in the reports as “low” “as it is adaptive to change and affected by externalities to a substantial degree”. However, the cumulative effects on housing from the loss of homes (temporary and permanent), temporary demand (such as construction workers seeking accommodation) and the potential additional housing need linked to employment and economic growth needs to be taken into consideration.
- 3.10 These cumulative impacts may be significant and thus it would be appropriate to assess these at the PEIR stage. Where these are presented in the PEIR, they are only addressed at a high level without sufficient detail. HAL must assess the implications of these impacts on housing need, housing affordability, overcrowding and any other negative impacts (including those temporary), and state what the proposed mitigation will be.
- 3.11 Consultees are unable to see the evidence underpinning the claim that the project would produce demand for an additional 3,000 homes in the local area (including what area has been defined as the local area). Therefore, this aspect has not been meaningfully consulted on and it is not possible to comment on it at this stage.
- 3.12 Table 11.16 uses ONS 2016-based LPA household projections, although baseline for the standard method should currently be the 2014-based household projections.

### *Methodological issues*

- 3.13 There is a lack of justification for the study areas used in Chapter 11 of the PEIR. The wider study area only includes Heathrow Strategic Planning Group authorities and LB Hillingdon. The PEIR states that the wider study area has been defined in order to assess effects relating to population, housing and public services. Given that these effects are very unlikely to be constrained by administrative boundaries (and potentially more influenced by aspects such as transport connectivity to the airport), the wider study area boundary does not seem to be adequately justified. An example of this LB Brent, which is not included in this area but is likely to be impacted by the proposals

(and experiences significant deprivation as demonstrated in Figures 11.3.1 to 11.3.3).

- 3.14 Justification for not including other boroughs of London needs to be given. The exclusion of some local authorities is likely to significantly understate the impact on housing, particularly in deprived areas. It is therefore unclear how the impacts of the proposals can be meaningfully understood and the GLA would expect HAL to formally consult on these aspects once they are identified given the significant impacts involved.
- 3.15 Additionally, paragraph 11.9.142 includes reference to Infrastructure Delivery Plans (IPDs) for authorities/counties in the wider Study Area but does not include Slough or South Bucks councils' IDPs. These IDPs should be included, or an explanation should be given for not including them.

#### **4. Green Infrastructure**

- 4.1 The Airports National Policy Statement (NPS)<sup>1</sup> highlights the importance of connected and multifunctional green infrastructure in relation to climate change adaptation, maximising opportunities for biodiversity and enabling positive environmental and economic benefits.
- 4.2 The importance of planning holistically for green infrastructure is outlined in the London Plan. Current London Plan policy 2.18 is clear that enhancements to London's green infrastructure should be sought from development, that proposals should incorporate green infrastructure elements that are integrated into the wider network and link green infrastructure to the wider public realm to improve accessibility. Draft London Plan policy G1 highlights that London's green infrastructure should be protected, enhanced and planned in an integrated way to achieve multiple benefits.
- 4.3 However, the project's impact on existing green infrastructure does not appear to be analysed in a joined-up way and it is not clear how the proposed landscape strategy responds to the site's context, minimises impacts and maximises the multiple benefits that an integrated approach to green infrastructure can bring. Within this context, it is not clear how 5.119 of the NPS is taken into account; this states that where green infrastructure is affected, the applicant should aim to ensure functionality and connectivity of the green infrastructure network is maintained and, where appropriate, to improve the network and other areas of open space. Without an integrated approach to green infrastructure it is difficult to see how this can be achieved and how any adverse effects on green infrastructure are adequately provided for – a key consideration for the Secretary of State under 5.120 of the NPS.
- 4.4 The NPS is clear that where green infrastructure networks have been identified in development plans, they should be protected from development and where possible, strengthened or integrated within it. It is not apparent if there has been full analysis of existing green infrastructure networks and how they have been taken into account. For example, the landscape strategy plan does not identify different land use designations such as Green Belt/MOL, it does not clearly identify what green infrastructure is

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<sup>1</sup> References to the ANPS are without prejudice to the GLA/TfL's view of its adequacy and status.

proposed to be lost and how this is proposed to be mitigated in a holistic and integrated way. Without this context it is difficult to see how the Landscape Focus Areas appropriately respond to the green infrastructure context, NPS requirements and London Plan policy.

## **5. Open Space**

- 5.1 An outline of the approach to open space is provided in chapter 11 (community) of the Volume 1 PIER. This suggests that there are a number of open spaces that are likely to be lost or impacted as part of the proposals. There is a lack of clarity about what the impacts on these spaces will be (with respect to quantity and quality) and how these impacts will be appropriately and sufficiently mitigated.
- 5.2 Chapter 11 provides an outline of the assessment of significance by borough, however this is not reflected in maps in the accompanying appendices and the assessment lacks detail about impacts and mitigation. The conclusions of the assessment of significance are also questionable – for example the level of effect for some areas where open space is lost and provided is marked as negligible, however there is a lack of accompanying information to support these conclusions and how space is re-provided helps to mitigate the impacts of what was lost in relation to quantity, quality and accessibility. The open space baseline report does not distinguish between local authority areas for the site assessments or scoring analysis.
- 5.3 The Landscape Mitigation Strategy in the Scheme Development Report also lacks clarity about the impacts on green infrastructure. The maps do not show the different types of green infrastructure to be lost or the spaces that will be impacted by the proposal which forms important context in relation to the appropriateness of the mitigation measures.
- 5.4 There should be a summary of the total number of open and green spaces impacted (directly and indirectly) by local authority, the amount of space proposed to be lost should be quantified, alongside the amount proposed to be re-provided by each local authority, together with analysis of how quality and accessibility for local communities will be affected. This should be done as part of an integrated analysis of existing green infrastructure which also includes Natural Capital Accounting of the value of the current green and open space, and what is proposed.
- 5.5 London Plan policy 7.18 is clear that the loss of protected open spaces must be resisted unless equivalent or better quality re-provision is made within the local catchment area. There should therefore be clear breakdown (including in map form) of each of the spaces impacted within London boroughs and how this will be re-provided.
- 5.6 Draft London Plan policy G4 is clear that development proposals should not result in the loss of protected open space and where possible, create new open space, particularly in areas of deficiency.
- 5.7 It is noted in appendix 11.4 that there are a number of areas of open space deficiency identified around the Heathrow boundary and the provision of open space is particularly important in these areas. The maps of open spaces in the appendix appear to show the

current Heathrow boundary and so do not clearly show which spaces are likely to be affected by the proposals.

- 5.8 The NPS highlights that: ‘Existing open space, sports and recreational buildings and land should not be developed unless the land is no longer needed or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location’ (paragraph 5.112). Consistent with London Plan policy it is not clear how replacement provision for London boroughs will be equivalent or better. Additionally, the NPS is clear that the Secretary of State should not grant consent for development on existing open space unless an assessment has been done independently or by the LPA which has shown the open space is no longer needed. If spaces are proposed to be lost and not replaced the justification should be clearly set out and evidence assessments provided.
- 5.9 It is not clear what engagement has taken place with boroughs to identify areas of open space deficiency and how the proposed mitigation measures address those deficiencies. It is also unclear if additional pressures on remaining open spaces has been assessed to see if the proposed mitigation measures will adequately provide for future population growth.

## **6. Green Belt**

- 6.1 The Mayor attaches great importance to the protection of London’s Green Belt as set out in draft London Plan Policy G2 which states that “development proposals that would harm the Green Belt should be refused”. The National Planning Policy Framework (NPPF) provides a clear direction for the management of development within the Green Belt and sets out the processes and considerations for defining Green Belt boundaries.
- 6.2 Based on the statutory consultation materials, it is understood that a study is being undertaken to look at the form and function of Green Belt around Heathrow and consider the extent to which the parts that may be affected fulfils the purposes of Green Belt. It is not clear if this study has been finalised and in the extent to which its findings have influenced the proposals. This should be made available for comment widely and at least with the Local Planning Authority (LPA) and the Greater London Authority (GLA). If the proposals had already been set in advance of such a study being completed, then the proposals are unlikely to take full account of the different functions of the Green Belt and any harm caused.
- 6.3 The masterplan suggests that the DCO process will set out the reasoning and justification for Very Special Circumstances to justify development in the Green Belt. The Mayor has been clear in his opposition to development on the Green Belt. If development is proposed the detailed justification for this should be made available now for comment. In particular, there should be a clear summary (including a map) of the quantum of green belt proposed to be lost by each local authority, together with analysis of its purposes, form and function, as well as an assessment in relation to the impact of the proposals in relation to the openness of green belt – both for those parts proposed to be lost as well as those parts of the green belt adjacent to the proposal. It

is unclear whether the proposals would also impact Metropolitan Open Land (MOL) which is afforded the same status and level of protection as Green Belt through the London Plan.

- 6.4 The NPS is unambiguous that there is a presumption against inappropriate development in the Green Belt and that the Secretary of State will need to assess whether there are Very Special Circumstances to justify it. Paragraph 5.127 of the NPS is clear that the Secretary of State will attach substantial weight to the harm to Green Belt when considering a future DCO application. No evidence is apparent which analyses the harm to the green belt; the proposed loss of Green Belt in both quantitative and qualitative terms should also be clearly set out. It is not clear the extent to which Green Belt that is proposed to be lost will be re-provided – something the Secretary of State may require under the NPS. The impacts on retained Green Belt/MOL should be clearly set out, both in relation to relocated displaced facilities as well as additional pressures for use.
- 6.5 There should be an integrated and joined up approach to the assessment of green infrastructure, the impacts of the proposed masterplan on it and proposed mitigation. However, analysis and evidence in relation to the Green Belt appears to be treated separately. The land use evaluation and evidence that informed the landscape mitigation strategy does not mention Green Belt/MOL. This is an important land use consideration and element of green infrastructure and should be an integral part of this. The different elements of green infrastructure and their different uses/function within an adjacent to the site boundary should be analysed holistically.
- 6.6 The accompanying Landscape and Visual Amenity topic paper discusses the impact on the ‘openness’ of Green Belt and should be read in conjunction with this section.
- 6.7 The GLA requested a study that was referred to in the consultation materials which was inexplicably omitted by HAL. This was provided by HAL after a request was made by the GLA. The GLA would emphasise that all stakeholders be provided an opportunity to assess and analyse this document, given it sets out HAL’s views on the Green Belt affected by its proposals. The GLA will need further time to consider this material (which is approximately 430 pages).

## **7. Community Facilities**

- 7.1 In the Preferred Masterplan HAL states: “In some cases, where it is a policy requirement of the ANPS, or where the Project would result in a likely significant adverse effect on that facility or its users, Heathrow has committed to providing an equal or better alternative facility, or other compensation as appropriate.” It is unclear how HAL has defined ‘significant adverse effect’ and how this has been/will be measured.
- 7.2 Paragraphs 4.9.5 – 4.9.8 of the Preferred Masterplan go on to identify a number of community facilities that will be impacted and potentially lost. It is unclear where the full extent of these facilities is set out, what impacts are anticipated, and what new equal or better facilities are proposed, where a significant adverse impact has been identified.

- 7.3 Where sites for relocation are identified, it is unclear to what extent the existing land uses of these sites have been considered. Additionally, it appears that adverse impacts such as impacts from longer journeys to reach the new facilities have not formed part of the assessment.
- 7.4 Crucially, how HAL secures any re-provision beyond the “commitment” remains uncertain. HAL must demonstrate how it intends to secure planning permission for these facilities as part of the DCO.

## **8. Schools**

- 8.1 Harmondsworth Primary School, Wonderland Day Nursery and Littlebrook Nursery have been identified as educational facilities that will need to be relocated as part of the proposals. In the case of the nurseries, the PEIR is not clear on whether all the lost capacity would be replaced (paragraph 11.10.176 states that, ‘...it is intended that a community hub in Harmondsworth would provide capacity for a *proportion* of nursery places lost’). HAL must demonstrate that there would be no net loss of education or childcare facilities, unless it can be clearly demonstrated that there would be no future need, in line with draft London Plan Policy S3 C.
- 8.2 The PEIR identifies potential sites for the relocation of the educational and childcare facilities to be lost, describing the criteria through which these were selected. Draft London Plan Policy S3 B sets out the locational and design requirements that would apply to development proposals for such facilities. The policy is clear about the important role that the design of educational and childcare facilities can play in creating good learning environments, particularly in terms of benefitting from reduced levels of air pollution, noise and road danger. HAL should clearly assess the potential relocation site in terms of these objectives and meet the criteria set out in the policy to ensure that any re-provided facilities would not suffer from poor air quality, noise pollution or other deficiencies.
- 8.3 Beyond the three educational and childcare facilities identified in the CPZ, many more schools have been identified in the PEIR’s wider study area, but it is not clear how they may be affected by any environmental changes (for example air pollution or noise) or how any assessment would be made to ascertain whether they would remain viable locations (from increasing exposure for sensitive receptors i.e. children).

## **9. Allotments**

- 9.1 The Allotments that will be impacted by the expansion have been identified as Moor Lane Allotments, Pinglestone Allotments (Harmondsworth) and Vineries Allotments (Stanwell Moor). Further information should be provided to make clear precisely what would be lost and the location and extent of replacement provision to demonstrate that suitable replacement sites have been identified.
- 9.2 The draft London Plan Policy G8 states that allotments should be protected in Development Plans. Allotments are also covered under specific legislation which covers

allotment provision and disposal. Certain allotments may be subject to the provisions of the Allotments Act 1925, which requires local authorities intending to sell, use or otherwise dispose of land which they acquired for use as allotments to obtain consent from the Secretary of State. The Secretary of State can only give such consent if s/he is satisfied that adequate provision will be made for allotment holders displaced or that such provision is not necessary or reasonably practicable. It is not clear whether any such allotments are affected by HAL's proposals, and how they intend to deal with this in their DCO application.

## **10. Waste**

- 10.1 In order to ensure that London is able to manage its own waste and achieve net self-sufficiency, all boroughs are required to demonstrate that they have sufficient capacity to manage expected household and commercial and industrial waste apportioned in the London Plan. Boroughs demonstrate this through Local or Joint Waste Plans or within Local Plans.
- 10.2 It is understood that the Lakeside energy from waste (EfW) facility will be impacted by the proposed expansion of Heathrow. This site contributes towards the West London Waste Plan's identified waste management capacity. HAL must demonstrate how it is proposing to adequately mitigate the impacts of the proposed loss of the Lakeside EfW facility. Waste impacts are discussed in more detail in a separate detailed paper which forms part of the Mayor's submission.

## **11. Aggregates**

- 11.1 National Planning Policy requires Mineral Planning Authorities to make provision for a steady and adequate supply of minerals. To facilitate this, the London Plan sets out a landbank apportionment for the provision of aggregate material, to ensure that London is contributing to the national Managed Aggregate Supply System.
- 11.2 Under the current and draft London Plan, LB Hillingdon is required to maintain a landbank of 1.75Mt of sand and gravel resources. To meet London Plan requirements, LB Hillingdon has identified three mineral areas for safeguarding within its Local Plan (November 2012). The proposed Heathrow expansion may sterilise these safeguarded mineral areas, affecting the boroughs ability to meet its landbank apportionment and London's ability to supply aggregate material.
- 11.3 HAL must clarify if there is an intention to first extract the identified sand and gravel resources prior to construction.