

## Open Letter to The Mayor of London

By email on 8 February 2021

Dear Mr Khan

### Re. Petition against over-development Ref MGLA 120121-3549 and Request not to Publish the London Plan - FINAL

Thank you for asking Mr xxx to reply to my petition of 5 September 2019.

It is unacceptable that a member of the public and a resident of Greater London should have to wait nearly 17 months to receive a response to a petition to you signed by thousands of concerned London residents, despite a number of requests over time for clarification of when you would provide a reply. The delay in response has prevented the many people who signed the petition from understanding in a timely way the basis of your actions in relation to proposed development in Kingston.

Please can you confirm on what date you asked Mr Xxx to consider the petition I submitted in September 2019 and the reasons for the delay in considering and replying to it?

Mr Xxx states that Kingston's development targets in the new London Plan have been properly considered and that due process has been followed, however I believe there is evidence that this is not the case.

The process for consulting on and adopting the 2016 Direction of Travel document for Kingston ("the DoT") on which Kingston's development targets are based contained multiple administrative and procedural errors that invalidate its ultimate approval by Kingston Council and you. In addition, you approved the DoT the day before Kingston Full Council approved it [under emergency measures], which appears highly irregular.

As Supplementary Planning Advice to the London Plan 2016, the DoT should have been accompanied by a Strategic Environmental Assessment as required under the Environmental Assessment of Plans and Programmes Regulations 2004. It should also have been subject to an equalities assessment. There was neither. The planning content of the DoT on which you are relying to give legitimacy to the designation of Kingston as an "opportunity area" in Policy SD1 and Table 2.1 in the London Plan is not sufficiently robust to designate Kingston in such a way. The document lacks clarity about your intended use of it to establish an "opportunity area" across Kingston and, by so doing, it confirms a failure to fulfil the legitimate expectations of the public in regards to ensuring the transparency of your plans.

I would like to request that you do not publish the London Plan and that Kingston is removed from Policy SD1 as a so-called "opportunity area" in the plan and that housing targets for Kingston in Policies H1 and H2 are revised after full **local** consultation on growth plans for the Borough and a simultaneously completed **local** Strategic Environmental Assessment - as required by the Environmental Assessment of Plans and Programmes Act 2004 - and Equalities Assessment of such plans. This should include a **local** assessment of the effects of revised London Plan development targets on air quality and noise as well as on Kingston's and Richmond's heritage assets. Current targets in Policies SD1, H1 and H2 were derived from the Strategic Housing Land Availability Assessment 2017 which explicitly removed air quality and noise and omitted consideration of the natural and historic environment as constraints on development capacity.

Mr Xxx also states that the DoT and the London Plan were consulted upon but does not comment on the adequacy of the consultation process in each case or the consideration that was given to consultation responses. I have evidence that the timings of publication and dissemination of information about the DoT and your approval of that document, and about the scale and form and location of growth planned for Kingston as laid out in the Development Scenario Testing documents 2017 - which formed the basis for

Kingston's targets in the London Plan Strategic Housing Land Availability Assessment 2017 – prevented intelligent consideration and response by the public to your plans for Kingston.

Regarding Kingston's housing targets, while Mr Xxx states that Kingston's targets in the new London Plan are currently 9,640 per annum, Kingston has also been allocated "opportunity area" growth in Policy SD1 of 9000 homes and 5000 jobs, and residential development of 16,307 units associated with CrossRail 2 which can be brought forward in to the first 10 years of the London Plan. The whole concept of "Kingston's housing need" – whether a lower or higher figure is bandied about - is arbitrary and without justification. Kingston council has conveniently delayed its local plan but if you look at the plans of other Boroughs such as Hounslow, housing "need" as you define it reflects the departure - voluntary or otherwise - of large numbers of local people from their low-rise homes in well-established communities and neighbourhoods in order to accommodate significant international inward immigration in high-rise tower blocks.

Mr Xxx rightly states that I attended the Examination in Public of the London Plan ("Examination"). However, attendance at Examination sessions only served to reinforce my impression of the lack of independent scrutiny and challenge of London Plan policies, as well as how the examination exercise appeared like an intentionally badly-directed stage play where the lead actors had been taught to garble their words in order to confuse the audience, attempting to limit understanding and pushing off any legitimate challenge. However, the more sessions I attended, and the more audio recordings I listened to and transcribed, the clearer the whole shebang has become.

Then there is the stag beetle, the very existence of which your office appears to wish to deny.

The need to provide protection for the stag beetle, a legally protected species under the Habitats Directive and the Conservation of Habitats and Species Regulations 2017, in Richmond Park SAC and Wimbledon Common SAC also needs to be considered in development policies in SD1, H1 and H2. I have questioned previously the adequacy of the London Plan habitats regulations assessment of protected habitats in relation to the stag beetle. In addition, protection has not been considered in the integrated impact assessment of the London Plan in terms of the function that land considered for development outside of protected habitats may be "supporting habitat" for this "near threatened" beetle. Policy protection is justified by scientific evidence, supported by expert opinion, that the stag beetle needs connected habitats outside of the physically-limited protected areas and that the long-term survival of this protected beetle is at risk from fragmentation of its habitat caused by London Plan development policies.

Lastly, Mr Xxx says that the plans that I call "undemocratically-agreed" were "*approved by democratically elected representatives at local, regional and, now, national level.*" Does this mean that people elected "democratically" can then do whatever they like? There are laws and policies and principles of conduct in public life by which all "democratically-elected" representatives are meant to abide. My research indicates that this appears often not to be the case, a situation which somewhat undermines the very concept of "democracy".

I look forward to your reply as a matter of urgency.

A handwritten signature in black ink, appearing to read 'Carl T. SM'. The signature is fluid and cursive, with the first name 'Carl' being the most prominent part.